

By Mr. MOORE of Pennsylvania: Paper to accompany bill for relief of Jerome B. Leidy, jr.—to the Committee on Invalid Pensions.

By Mr. RYAN: Petition of Asiatic Exclusion League of North America, against Asiatic immigration to the United States—to the Committee on Immigration and Naturalization.

Also, petition of Lodge No. 226, Switchmen's Union of America, of Buffalo, N. Y., favoring H. R. 13477, relative to the standardization of the automatic coupler—to the Committee on Interstate and Foreign Commerce.

Also, petition of National Wholesale Lumber Dealers, for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of California Harbor, No. 15, American Association of Masters, Mates, and Pilots, and Marine Engineers' Beneficial Association, No. 35, of San Francisco, Cal., against H. R. 225 and S. 5787, and favoring H. R. 14941, amending section 4463 of the Revised Statutes of the United States—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Chamber of Commerce of Richmond, Va., and Philadelphia Credit Men's Association, against the Aldrich currency bill (S. 3023) and in favor of the Fowler bill (H. R. 12677)—to the Committee on Banking and Currency.

By Mr. WASHBURN: Paper to accompany bill for relief of Asel B. Griggs—to the Committee on War Claims.

By Mr. WILSON of Pennsylvania: Petitions of residents of Potter County; citizens of Potter and McKean counties; Aurora Grange, No. 874, of Mansfield; citizens of Wellsboro; O. L. Graham and 19 others, of Tioga County; John C. Craig and 18 others, of Lycoming County, and Joseph Swineker and 8 others, of Tioga County, all of the State of Pennsylvania, for S. 3152, providing for additional protection to the dairy interests—to the Committee on Agriculture.

Also, petition of Mitchells Mills Grange, of Tioga County; Grange No. 1149, of Galiton, Potter County; Millport Grange, of Potter County; Grange No. 1194, of North Gingham, Potter County, and Lawrence Grange, No. 937, of Lawrenceville, Tioga County, all of the State of Pennsylvania, for highway improvement (H. R. 15837)—to the Committee on Agriculture.

Also, petition of West Bingham Grange, No. 328, of West Bingham, Pa., for a national highways commission and Federal aid in road construction (H. R. 15837)—to the Committee on Agriculture.

Also, petition of Local Union No. 72, Brotherhood of Painters, Decorators, and Paperhangers, of Allegheny County, Pa., for building of battle ships in Government navy-yards—to the Committee on Naval Affairs.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 8, 1908.

[Continuation of legislative day of Monday, April 6, 1908.]

The recess having expired, at 11 o'clock and 30 minutes a. m. the House was called to order by the Speaker.

### NAVAL APPROPRIATION BILL.

Mr. FOSS, from the Committee on Naval Affairs, by the direction of that committee, reported the bill (H. R. 20471) making appropriations for the naval service for the fiscal year ending June 30, 1909, and for other purposes, which was read a first and second time and, with accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. GREGG reserved all points of order on the bill.

Mr. GREGG. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Hobson] be permitted to file minority views on the naval bill during the day.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

### DAM ACROSS SAVANNAH RIVER AT CHEROKEE SHOALS.

The SPEAKER. The question now is, Will the House reconsider the passing of the bill (H. R. 16621) vetoed by the President in a message read before the recess yesterday?

Mr. MANN. Mr. Speaker, will it not be in order to send the bill back to the Committee on Interstate and Foreign Commerce?

Mr. PAYNE. It can go back to the committee by unanimous consent, and I do not object to it.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill referred to, vetoed by the President, be referred to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. WILLIAMS. Mr. Speaker, I shall be forced, under the circumstances, to object. I may not later, after I understand it.

Mr. MANN. If the gentleman from Mississippi will pardon me, the veto message of the President calls attention to the fact, which I believe is a fact—

Mr. WILLIAMS. What bill is it?

Mr. MANN. It is a bill permitting the building of a dam across the Savannah River at Cherokee Shoals.

Mr. WILLIAMS. Concerning that matter, Mr. Speaker, I shall make no objections.

The SPEAKER. The Chair hears no objection, and the bill is referred to the Committee on Interstate and Foreign Commerce.

WILLIAM WILMOT WHITE.

The SPEAKER laid before the House the following message from the President of the United States:

To the House of Representatives:

I return herewith without approval House bill No. 4763, entitled "An act transferring Commander William Wilmot White from the retired to the active list of the Navy."

I inclose herewith copy of the reports of the Secretary of the Navy and of the Chief of the Bureau of Navigation adverse to the signature of this bill. The report of the Chief of the Bureau of Navigation gives the precedents which this bill follows. In each case special reasons were believed to exist at the time why a special exception should be made, but actual experience has shown that in each case the restoration served as a precedent for the restoration of somebody else where the cause was not quite so strong. Commander White was transferred to the retired list three years ago on his own application. He now seeks reinstatement. All the advantages that should be derived from the legislation under which he was retired will be lost if the various individuals who take advantage of it are encouraged to believe that whenever they desire to undo their action that end can be achieved by supplemental special legislation. I agree entirely with Admiral Pillsbury's statement that legislation of this character does not contribute to the best interests of the service. I accordingly return the bill without my approval.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 7, 1908.

The SPEAKER. The question is, Will the House on reconsideration pass the bill, the President's veto to the contrary notwithstanding?

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry. Some of the Members of the House did not have an opportunity to hear the message, and I will ask the gentleman from New York [Mr. PAYNE] to explain.

Mr. PAYNE. This man was on the retired list, and the bill puts him on the active list.

Mr. WILLIAMS. And the President vetoed the bill?

Mr. PAYNE. Yes.

Mr. HULL of Iowa. And it was a good veto, too.

The SPEAKER. The Constitution requires that this vote shall be taken by yeas and nays.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the bill may be reported to the House.

The SPEAKER. If there be no objection, the bill may be reported for information.

Mr. PAYNE. Mr. Speaker, I have no objection to its being reported, although the message shows clearly what it is.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States be, and he hereby is, authorized to appoint, by and with the consent of the Senate, William Wilmot White, now a commander on the retired list of the Navy, a commander on the active list of the United States Navy, to take rank next above Commander Emil Theiss, United States Navy: *Provided*, That the said William Wilmot White shall be carried as additional to the number of the grade to which he may be appointed under this act or at any time thereafter promoted: *And provided further*, That the said William Wilmot White shall not by the passage of this act be entitled to back pay of any kind: *And provided further*, That the said William Wilmot White shall pass a physical examination before said transfer, showing his fitness to enter the active service of the Navy.

The SPEAKER. The question is, Will the House on reconsideration pass the bill, the President's veto to the contrary notwithstanding? and the Clerk will call the roll.

The question was taken, and there were—nays 258, answered "present" 15, not voting 114, as follows:

NAYS—258.

Adair	Bede	Burnett	Clark, Mo.
Adamson	Bell, Ga.	Burton, Del.	Clayton
Alken	Bennet, N. Y.	Butler	Cockran
Alexander, Mo.	Birdsall	Byrd	Cocks, N. Y.
Alexander, N. Y.	Bonyne	Calder	Cole
Allen	Booher	Calderhead	Conner
Ames	Boutell	Caldwell	Cook, Pa.
Andrus	Bowers	Campbell	Cooper, Tex.
Ansberry	Boyd	Candler	Cooper, Wis.
Anthony	Bradley	Capron	Cox, Ind.
Ashbrook	Brodhead	Carlin	Craig
Barclay	Brownlow	Carter	Cravens
Bartholdt	Brundidge	Cary	Crumpacker
Bartlett, Ga.	Burgess	Caulfield	Cushman
Bartlett, Nev.	Burke	Chaney	Dalzell
Beall, Tex.	Burleigh	Chapman	Darragh

Davidson	Hardy	Lindsay	Rucker
Davis, Minn.	Haskins	Lloyd	Russell, Mo.
De Armond	Haugen	Lovering	Russell, Tex.
Denby	Hawley	Lowden	Sabath
Denver	Hay	McGavin	Saunders
Diekema	Hellin	McGuire	Scott
Dixon	Helm	McKinlay, Cal.	Sheppard
Douglas	Henry, Conn.	McKinley, Ill.	Sherley
Dwight	Henry, Tex.	McLachlan, Cal.	Sherwood
Ellerbe	Hill, Conn.	McLain	Sims
Ellis, Mo.	Hill, Miss.	McMillan	Slayden
Englebright	Hitchcock	Macon	Small
Esch	Hobson	Madden	Smith, Cal.
Fassett	Holliday	Madison	Smith, Iowa
Favrot	Houston	Malby	Smith, Mich.
Ferris	Howell, N. J.	Mann	Smith, Tex.
Fitzgerald	Howell, Utah	Miller	Snapp
Flood	Howland	Mondell	Southwick
Floyd	Hubbard, Iowa	Moon, Pa.	Sparkman
Focht	Hubbard, W. Va.	Moon, Tenn.	Spight
Fornes	Hughes, N. J.	Moore, Tex.	Stafford
Foster, Vt.	Hull, Iowa	Mouser	Stanley
Foulkrod	Hull, Tenn.	Murdock	Steenerson
French	Humphrey, Wash.	Murphy	Stephens, Tex.
Fuller	Humphreys, Miss.	Needham	Sterling
Fulton	James, Ollie M.	Norris	Stevens, Minn.
Gaines, Tenn.	Johnson, Ky.	Nye	Sturgiss
Gaines, W. Va.	Johnson, S. C.	O'Connell	Sulloway
Gardner, Mich.	Jones, Va.	Olcott	Sulzer
Gardner, N. J.	Jones, Wash.	Overstreet	Tawney
Garner	Kahn	Page	Taylor, Ala.
Garrett	Kelley	Parker, N. J.	Taylor, Ohio
Gillett	Kellher	Patterson	Thistlewood
Godwin	Kennedy, Iowa	Payne	Thomas, N. C.
Goebel	Kennedy, Ohio	Pearre	Tirrell
Gordon	Kinkaid	Perkins	Tou Velle
Goulden	Kitchin, Wm. W.	Peters	Townsend
Graff	Knowland	Porter	Volstead
Graham	Küstermann	Pou	Waldo
Granger	Lafean	Pray	Wanger
Gregg	Lamar, Mo.	Pujo	Washburn
Hackett	Landis	Randell, Tex.	Watson
Hackney	Langley	Ransdell, La.	Webb
Hale	Lanling	Rauch	Williams
Hamilton, Mich.	Law	Reeder	Wilson, Pa.
Hamlin	Leake	Reid	Wood
Hammond	Lee	Richardson	Young
Harding	Legare	Robinson	
Hardwick	Lindbergh	Rothermel	

## ANSWERED "PRESENT"—15.

Cousins	Hamilton, Iowa	Loudenslager	Shackelford
Currier	Howard	Nicholls	Sherman
Dawson	Jenkins	Rainey	Underwood
Ellis, Oreg.	Longworth	Roberts	

## NOT VOTING—114.

Acheson	Foss	Knopf	Parsons
Bannon	Foster, Ill.	Lamar, Fla.	Pollard
Barchfeld	Foster, Ind.	Lamb	Powers
Bates	Fowler	Lassiter	Pratt
Beale, Pa.	Gardner, Mass.	Lawrence	Prince
Bennett, Ky.	Gilham	Lenahan	Reynolds
Bingham	Gill	Lever	Rhinock
Brantley	Gillespie	Lewis	Riordan
Broussard	Lilly	Livingston	Rodenberg
Brumm	Goldfogle	Littlefield	Ryan
Burleson	Greene	Lorimer	Slemp
Burton, Ohio	Griggs	Loud	Smith, Mo.
Clark, Fla.	Gronna	McCall	Sperry
Cook, Colo.	Haggott	McCreary	Talbott
Cooper, Pa.	Hall	McDermott	Thomas, Ohio
Coudrey	Hamill	McHenry	Vreeland
Crawford	Harrison	McKinney	Wallace
Davenport	Hayes	McLaughlin, Mich.	Watkins
Davey, La.	Hepburn	McMorran	Weeks
Dawes	Higgins	Marshall	Weems
Draper	Hinshaw	Maynard	Weisse
Driscoll	Lauff	Moore, Pa.	Wheeler
Dunwell	Hughes, W. Va.	Morse	Wiley
Durey	Jackson	Mudd	Willett
Edwards, Ga.	James, Addison D.	Nelson	Wilson, Ill.
Edwards, Ky.	Kimball	Olmsted	Wolf
Fairchild	Kipp	Padgett	Woodyard
Finley	Kitchin, Claude	Parker, S. Dak.	
Fordney	Knapp		

So the veto of the President was sustained.

The Clerk announced the following pairs:

For to-day:

Mr. JACKSON with Mr. FOSTER of Illinois.

Mr. GILHAMS with Mr. WILLETT.

Mr. GRONNA with Mr. SMITH of Missouri.

Mr. POWERS with Mr. PRATT.

Mr. LONGWORTH with Mr. HARRISON.

Until Wednesday:

Mr. PRINCE with Mr. GLASS.

Until April 14:

Mr. COOPER of Pennsylvania with Mr. KIPP.

Until further notice:

Mr. BANNON with Mr. CRAWFORD.

Mr. FOSS with Mr. MCHEERY.

Mr. BEALE of Pennsylvania with Mr. GILL.

Mr. COUDREY with Mr. GILLESPIE.

Mr. HUGHES of West Virginia with Mr. GRIGGS.

Mr. DRAPER with Mr. LASSITER.

Mr. DRISCOLL with Mr. HAMILL.

Mr. KNAPP with Mr. RYAN.

Mr. McCALL with Mr. CLAUDE KITCHIN.  
 Mr. McCREARY with Mr. WILEY.  
 Mr. McLAUGHLIN of Michigan with Mr. LAMB.  
 Mr. McMORRAN with Mr. LEWIS.  
 Mr. MOORE of Pennsylvania with Mr. MAYNARD.  
 Mr. MUDD with Mr. SHACKLEFORD.  
 Mr. NELSON with Mr. WATKINS.  
 Mr. VREELAND with Mr. UNDERWOOD.  
 Mr. WOODYARD with Mr. WALLACE.  
 Mr. McKINNEY with Mr. PADGETT.  
 Mr. DAWSON with Mr. BURLESON.  
 Mr. HEPBURN with Mr. GOLDFOGLE.  
 Mr. WHEELER with Mr. DAVENPORT.  
 Mr. FAIRCHILD with Mr. RHINOCK.  
 Mr. FOSTER of Indiana with Mr. BRANTLEY.  
 Mr. JENKINS with Mr. CLARK of Florida.  
 Mr. DUREY with Mr. LAMAR of Florida.  
 Mr. COUSINS with Mr. HOWARD.  
 Mr. BINGHAM with Mr. DAVEY of Louisiana.  
 Mr. ADDISON D. JAMES with Mr. KIMBALL.  
 Mr. HALL with Mr. HAMILTON of Iowa.  
 Mr. POLLARD with Mr. LEVER.  
 Mr. OLMSTED with Mr. EDWARDS of Georgia.  
 Mr. ROBERTS with Mr. BROUSSARD.  
 Mr. SLEMP with Mr. WOLF.  
 Mr. BARCHFELD with Mr. LIVINGSTON.  
 Mr. PARKER of South Dakota with Mr. LENAHA.  
 Mr. RODENBERG with Mr. TALBOTT.  
 Mr. DUNWELL with Mr. McDERMOTT.  
 For the session:  
 Mr. SHERMAN with Mr. RIORDAN.  
 Mr. CURRIER with Mr. FINLEY.  
 Mr. KNOPF with Mr. WEISSE.

The result of the vote was announced as above recorded.

## ENROLLED BILL SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 18754. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors.

## PERSONAL PRIVILEGE.

Mr. SHACKLEFORD. Mr. Speaker, a question of privilege.  
 Mr. GAINES of West Virginia. Mr. Speaker, a question of personal privilege.

The SPEAKER. The gentleman from West Virginia.

Mr. GAINES of West Virginia. Mr. Speaker, the newspapers of this morning very generally report that upon yesterday in the Committee on Election of President, Vice-President, and Representatives in Congress there occurred a personal difficulty between members of the committee.

Mr. WILLIAMS. Mr. Speaker, I make the point that that is not a question of personal privilege.

The SPEAKER. The Chair is unable to state, so far.

Mr. WILLIAMS. The gentleman has stated the gravamen of the case, to wit, that "the newspapers had stated there was a personal difficulty in the room of the Committee on Election of President, Vice-President, and Members of Congress." Now, I submit that whether there was or was not, is not a question of privilege for the gentleman to raise in the House.

The SPEAKER. Under the circumstances it seems to the Chair if the difficulty touched public business pending before a committee of the House that it might be. The Chair does not say at this time whether it would be a question of privilege or not, but the Chair can conceive that it might be.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry.

Mr. GAINES of West Virginia. If the gentleman will permit me a moment.

Mr. WILLIAMS. Mr. Speaker, a parliamentary inquiry. I believe a parliamentary inquiry has precedence, and the gentleman must allow the minority some few of such rights as they have left—a parliamentary inquiry, Mr. Speaker. If the Chair shall rule or does rule that the question raised by the gentleman from West Virginia is a privileged question, then could gentlemen upon this side also rise to a question of personal privilege to explain what they regard as their side of the controversy?

The SPEAKER. The Chair can not state as to that. It does not necessarily follow that a debating school is to be organized, but the Chair states that under the precedents questions of high privilege from time to time—even in one case a difficulty between Members on the portico of the Capitol was held to be a question of high privilege. The Chair can not state at this time. The gentleman from West Virginia will proceed.



Mr. GAINES of West Virginia. Mr. Speaker, it might clear the atmosphere a little bit if I would state that what I propose to say is a mere statement of facts and is known to gentlemen on the minority side and to those most concerned. I shall not take the time of the House to read or to have read at length any newspaper article upon this subject. I do not deem that anything I have seen deserves to be dignified by being quoted in the Record.

In order, however, to designate the articles to which I have referred, I will read but one sentence from a newspaper of this morning, as follows:

Statesmen forgot their dignity and made violent efforts to do bodily injury to other statesmen.

Mr. SULZER. What is the name of the newspaper?

Mr. FITZGERALD. I make the point of order that it does not reflect on the gentleman in his representative capacity.

The SPEAKER. It seems to the Chair that it does, or that it may, if it be a difficulty, as alleged, over the public business by a committee of the House. The gentleman from West Virginia is recognized.

Mr. GAINES of West Virginia. The fact is, Mr. Speaker, that no such thing occurred or anything like it.

Mr. SULZER. What is the name of the newspaper?

Mr. GAINES of West Virginia. There were no blows delivered, there were none aimed, none dodged, and the situation did not even approach personal difficulty in any sense whatever.

Now, Mr. Speaker, if I have any time, I yield one minute to the gentleman from Georgia [Mr. HARDWICK], a minority member of the committee.

Mr. HARDWICK. I just want to say, in support of the gentleman's statement, that while at this committee meeting there might have been political and parliamentary differences there was not the slightest personal difficulty or anything that approached it, and that part of these newspaper articles to which the gentleman from West Virginia [Mr. GAINES] has referred are entirely and absolutely without foundation in fact. [Applause.]

#### ORDER OF BUSINESS.

Mr. DALZELL. Mr. Speaker, I submit a privileged report from the Committee on Rules. [Applause.]

The SPEAKER. The gentleman from Pennsylvania [Mr. DALZELL] submits a privileged report from the Committee on Rules, which the Clerk will read.

The Clerk read as follows:

*Resolved*, That on this day and on Thursday of this week the House shall take recess at 5 o'clock p. m. until 11.30 a. m. of the next Calendar day; that on Friday, April 10, at 11.30 a. m., the Speaker shall declare the House in Committee of the Whole House on the state of the Union for the consideration of H. R. 20471, the naval appropriation bill; that at 5 o'clock p. m. on Friday, April 10, the Chairman of the Committee of the Whole House on the state of the Union shall declare the committee in recess until 11.30 a. m. on Saturday, April 11; that at 5 o'clock p. m. Saturday, April 11, the Chairman of the Committee of the Whole House on the state of the Union shall declare the committee in recess until 11.30 o'clock a. m. on Monday, April 13.

That general debate on the naval appropriation bill shall close not later than at 5 o'clock p. m., Saturday, April 11; the time to be equally divided between the majority and minority and controlled by the chairman of the Naval Committee and by the senior member of the minority: *Provided*, That if general debate shall be concluded prior to 5 p. m. on Saturday the 11th, the Chairman of the Committee of the Whole shall at once declare the committee in recess until Monday, April 13, at 11.30 a. m.

Mr. DALZELL. Mr. Speaker, I ask for the previous question.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS. Mr. Speaker, I ask for tellers.

Tellers were ordered, and the gentleman from Mississippi [Mr. WILLIAMS] and the gentleman from Pennsylvania [Mr. DALZELL] were appointed as tellers.

The House divided, and there were—ayes 142, noes 112.

Mr. WILLIAMS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 158, nays 129, answered "present" 11, not voting 89, as follows:

#### YEAS—158.

Alexander, N. Y.	Burton, Del.	Dalzell	Foulkrod
Allen	Butler	Darragh	French
Ames	Calder	Davidson	Fuller
Andrus	Calderhead	Davis, Minn.	Gaines, W. Va.
Anthony	Campbell	Dawson	Gardner, Mich.
Barclay	Capron	Denby	Gardner, N. J.
Bartholdt	Cary	Diekema	Gillett
Bates	Caulfield	Douglas	Goebel
Bede	Chaney	Dwight	Graft
Bennet, N. Y.	Chapman	Ellis, Mo.	Graham
Birdsall	Cocks, N. Y.	Ellis, Oreg.	Haggott
Bonyng	Cole	Englebright	Hale
Boyd	Conner	Esch	Hamilton, Mich.
Bradley	Cook, Colo.	Fassett	Harding
Brownlow	Cook, Pa.	Focht	Haskins
Burke	Crumpacker	Foss	Haugen
Burleigh	Cushman	Foster, Vt.	Hawley

Henry, Conn.	Laning	Moore, Pa.	Stafford
Higgins	Law	Mouser	Steenserson
Hill, Conn.	Lawrence	Mudd	Sterling
Holliday	Lindbergh	Needham	Stevens, Minn.
Howell, N. J.	Loud	Nelson	Sturgiss
Howell, Utah	Lovering	Norris	Sulloway
Howland	Lowden	Nye	Tawney
Hubbard, Iowa	McCall	Olcott	Taylor, Ohio
Hubbard, W. Va.	McGavin	Overstreet	Thistlewood
Huff	McGuire	Parker, N. J.	Thomas, Ohio
Hull, Iowa	McKinlay, Cal.	Payne	Tirrell
Humphrey, Wash.	McKinley, Ill.	Pearre	Townsend
Jones, Wash.	McLachlan, Cal.	Perkins	Volstead
Kahn	McLaughlin, Mich.	Porter	Waldo
Keller	McMillan	Pray	Wanger
Kennedy, Iowa	Madden	Reeder	Washburn
Kennedy, Ohio	Madison	Scott	Watson
Kinkaid	Malby	Sherman	Weeks
Knowland	Mann	Smith, Cal.	Wilson, Ill.
Kufsternann	Marshall	Smith, Iowa	Wood
Lafren	Miller	Smith, Mich.	Young
Landis	Mondell	Snapp	
Langley	Moon, Pa.	Southwick	

#### NAYS—129.

Adair	Fitzgerald	James, Ollie M.	Riordan
Adamson	Flood	Johnson, Ky.	Robinson
Aiken	Floyd	Johnson, S. C.	Rothermel
Alexander, Mo.	Fornes	Jones, Va.	Rucker
Ansberry	Fulton	Kelher	Russell, Mo.
Ashbrook	Gaines, Tenn.	Kitchin, Claude	Russell, Tex.
Bartlett, Ga.	Garner	Kitchin, Wm. W.	Ryan
Bartlett, Nev.	Garrett	Lamar, Mo.	Sabath
Beall, Tex.	Gillespie	Lamb	Saunders
Bell, Ga.	Godwin	Leake	Shackelford
Booher	Goldfogle	Lee	Sheppard
Bowers	Gordon	Legare	Sherley
Brodhead	Goulden	Lewis	Sherwood
Brundidge	Granger	Lindsay	Sims
Burgess	Gregg	Lloyd	Slayden
Burnett	Hackett	McHenry	Small
Byrd	Hackney	McLain	Smith, Tex.
Caldwell	Hamill	Macon	Sparkman
Candler	Hamlin	Moon, Tenn.	Spight
Carlisle	Hammond	Moore, Tex.	Stanley
Carter	Hardwick	Murphy	Stephens, Tex.
Clark, Mo.	Hardy	Nicholls	Sulzer
Clayton	Hay	O'Connell	Taylor, Ala.
Cooper, Tex.	Heflin	Page	Thomas, N. C.
Cox, Ind.	Helm	Patterson	Tou Velle
Craig	Henry, Tex.	Peters	Underwood
Cravens	Hill, Miss.	Pou	Watkins
De Armond	Hitchcock	Pujo	Webb
Denver	Hobson	Randell, Tex.	Williams
Dixon	Houston	Ransdell, La.	Wilson, Pa.
Ellerbe	Hughes, N. J.	Rauch	
Favrot	Hull, Tenn.	Reid	
Ferris	Humphreys, Miss.	Richardson	

#### ANSWERED "PRESENT"—11.

Boutell	Foster, Ind.	Jenkins	Rainey
Cockran	Hamilton, Iowa	Knopf	Roberts
Currier	Howard	Longworth	

#### NOT VOTING—89.

Acheson	Durey	Kimball	Pollard
Bannon	Edwards, Ga.	Kipp	Powers
Barchfeld	Edwards, Ky.	Knapp	Pratt
Beale, Pa.	Fairchild	Lamar, Fla.	Prince
Bennett, Ky.	Finley	Lassiter	Reynolds
Bingham	Fordney	Lenahan	Rhinock
Brantley	Foster, Ill.	Lever	Rodenberg
Broussard	Fowler	Lilley	Slemp
Brumm	Gardner, Mass.	Littlefield	Smith, Mo.
Burleson	Gilham	Livingston	Sperry
Burton, Ohio	Gill	Lorimer	Talbot
Clark, Fla.	Glass	Loudenslager	Wallace
Cooper, Pa.	Greene	McCreary	Wallace
Cooper, Wis.	Griggs	McDermott	Weems
Coudrey	Gronna	McKinney	Weisse
Cousins	Hall	McMorran	Wheeler
Crawford	Harrison	Maynard	Wiley
Davenport	Hayes	Morse	Willett
Davey, La.	Hepburn	Murdoch	Wolf
Dawes	Hinshaw	Olmsted	Woodyard
Draper	Hughes, W. Va.	Padgett	
Driscoll	Jackson	Parker, S. Dak.	
Dunwell	James, Addison D.	Parsons	

So the previous question was ordered.

The following additional pairs were announced:  
Until further notice:

Mr. HEPBURN with Mr. BURLESON.

Mr. BRUMM with Mr. COCKRAN.

Mr. MCCREARY with Mr. MAYNARD.

Mr. BOUTELL with Mr. GRIGGS.

For the balance of the day:

Mr. COOPER of Wisconsin with Mr. WILEY.

The result of the vote was then announced as above recorded.

Mr. SHACKLEFORD. Mr. Speaker, a question of privilege.

The SPEAKER. The gentleman from Pennsylvania.

Mr. SHACKLEFORD. A parliamentary inquiry.

The SPEAKER. The gentleman from Pennsylvania [Mr. DALZELL] is entitled to twenty minutes, and the gentleman from Mississippi [Mr. WILLIAMS] to twenty minutes. The gentleman from Missouri rises to a parliamentary inquiry.

Mr. SHACKLEFORD. Mr. Speaker, I have tried four times this morning to get recognition to call up a privileged resolution. I ask when I may call it up?

The SPEAKER. The House has been engaged in privileged business ever since the hammer fell this morning. [Laughter and applause.]

Mr. DALZELL. Let us have order, Mr. Speaker.

The SPEAKER. All gentlemen will be seated and cease conversation.

Mr. DALZELL. Mr. Speaker, this resolution is intended to provide the order of business for the House from now until next Monday. According to the terms of the rule, the House will take a recess this evening at 5 o'clock until half past 11 tomorrow, and to-morrow evening will take a recess at 5 o'clock until half past 11 o'clock on Friday. On Friday the Speaker will declare the House in Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill, and on Friday evening the Committee of the Whole House on the state of the Union will take a recess until Saturday morning at half past 11 o'clock, and on Saturday evening at 5 o'clock—or, possibly, by the terms of the rule, a little earlier—the House will take a recess until Monday morning at 11:30. General debate on the naval appropriation bill will close not later than 5 o'clock on Saturday evening, and should it close earlier than 5 o'clock the Chairman of the committee will declare the committee in recess until Monday morning. The time for debate on the naval appropriation bill is to be equally divided between the two sides, to be controlled on this side of the Chamber by the chairman of the Committee on Naval Affairs and on the other side of the Chamber by the senior representative of the minority on that committee. I reserve the balance of my time, Mr. Speaker. [Applause on the Republican side.]

Mr. WILLIAMS. I yield to my colleague on the committee, the gentleman from Missouri [Mr. DE ARMOND], for nine minutes. [Loud applause on the Democratic side.]

Mr. DE ARMOND. Mr. Speaker, those who made the Constitution, a long number of years ago, were improvident enough to include in that instrument a provision by virtue of which one-fifth of the Members present could have a yea-and-nay vote. Doubtless they thought at the time that it was wisdom and that there would be good in results from this provision.

The rule which we are considering, and no doubt about to adopt by a partisan vote, is to negative as far as may be possible that provision of the Constitution. It is offensive to the gentlemen on the other side to have a yea-and-nay vote upon propositions to be passed upon. This is a device to escape that yea-and-nay vote as far as possible. The gentlemen desire to keep off the record whenever it is possible to keep off the record.

It may be suggested that the purpose of this rule is to economize time. What a beautiful suggestion, and how artful that must be, coming from the other side. How long since was it that time was wantonly wasted here? Bills were brought forward and kept before the House for the sole purpose of consuming time and preventing the consideration of other matters. Adjournments were taken three days at a time in order to get rid of time, to dispose of that useless commodity. Now, the gentlemen have reached that stage in the progress of legislation when it becomes very important, they would have the country believe and would have us believe, to economize time; and the mere circumstance that a provision of the Constitution intervenes of course is a circumstance easily brushed aside by the gentlemen by virtue of that rule.

The gentlemen perhaps are furnishing an illustration and conveying information to the country beyond their purpose, and possibly it may turn out later on to their sorrow. [Applause on the Democratic side.] When rules such as this may be adopted—and no doubt this will be adopted by a partisan vote—when rules like this can be adopted for the purpose of economizing time, as it may be pretended, and to get around a provision of the Constitution in actual fact, the gentlemen who adopt it demonstrate to the House and demonstrate to the country beyond the possibility of mistake or misunderstanding that whatever legislation the majority here sees proper to pass, the majority here can pass. [Applause on the Democratic side.] It must appear further that whatever is not passed here the majority distinctly and purposely prevents the passage of. [Applause on the Democratic side.] No longer will the ordinary excuse avail that there was a lack of time, so that this measure could not be reached upon the Calendar, and that measure could not be brought out of committee. You are furnishing now an absolute demonstration, from the conclusiveness of which there is no escape, that there is not a solitary measure pending in committee or in the House that you can not pass if you choose to pass it. [Applause on the Democratic side.] And it will be demonstrated with equal clearness that whatever is not passed is that which you deliberately, purposely,

defiantly decide shall not pass. Now, the test can be made very easily, and later on, as I suggested, it may be made to your sorrow.

When the question is asked anywhere in the country—and it will be asked—why was not this measure considered, why was not that measure passed, why was not the other measure brought up? there is one answer, and only one: Because the Republican majority in this House willed that it should not be considered, should not be brought up, should not be passed. We can stand upon that record. It is well known that there is pressure in the country, and very great pressure, for the consideration and passage of a number of important measures. It is well known that a large majority of the voting strength of the country is insistent upon the consideration and the passage of important measures. Do not go to them again, as you have done so often and so successfully, and endeavor to delude them into the belief that somehow you could not get consideration for the measure and somehow you could not pass it. You can have consideration, because you have the power to enforce it; and, so far as meritorious measures are concerned, as has been demonstrated here more than once and will be demonstrated again, and abundantly demonstrated, you have only to express the will, you have only to give the opportunity, and if you lack the votes upon that side, as you do not, there will be an abundant addition here. And there are a good many measures which would receive practically, and some of them actually, every vote upon this side. [Applause on the Democratic side.] Take the employers' liability bill which passed the other day, 300 yeas to 1 no. There are other measures that would pass with almost equal unanimity if there were opportunity to pass them. They would get a large vote, because a good many—a majority—desire to pass them, and because a good many, but not a majority, dare not vote against them. [Applause.]

Now, the process of strangulation will no longer be a secret process. You may conclude that you can strangle measures in committee, and you may conclude that you can delude the country into believing that you can not act upon them, but your hope will be vain. You are now demonstrating, you demonstrate over again by this rule, as you have demonstrated repeatedly, that what the majority wills to do, the majority can do, and what the majority wills shall not be done, that and that only can not be done in this House. [Applause on the Democratic side.]

You have brought the responsibility which rests upon you into the light so clear and so glaring that all men must judge you by what you do and by what you refuse to do, because it is a refusal direct and positive. [Applause on the Democratic side.] You now refuse the roll call, you are now economizing time by going through the provisions of the Constitution as so much waste paper. You will be called to the test and you will have to stand it. You are responsible for the failure of everything that fails to pass. If it be a good thing not to pass a bill you can take the credit for killing it; you have the power of life and death over it. Wherever a meritorious measure fails of passage or fails of consideration it fails because you will not give it consideration, and it fails of passage because you will not permit of its passage. You kill it just as completely and just as clearly as if you employed a manlier course and submitted it to vote and voted against it. [Applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has eighteen minutes.

Mr. DALZELL. I now yield nine minutes to my colleague, the gentleman from New York [Mr. SHERMAN].

Mr. SHERMAN. Mr. Speaker, the solicitude of the honorable gentleman from Missouri [Mr. DE ARMOND] on behalf of himself and his colleagues for the sanctity of the Constitution of the United States is decidedly refreshing. It is within the memory of most of us in this Chamber, and those in whose memory it is not have read in history, that the time was, Mr. Speaker, not so very long ago when the Democratic party was not so solicitous for the Constitution as my honored friend from Missouri appears to be to-day. Their solicitude to-day seems to be over the matter of having useless roll calls. The absence of solicitude half a century ago was in reference to a question of vastly greater consequence, a question which involved not a mere matter of procedure, but the matter of the life of the nation, and I am glad that the time has at last come when our Democratic friends are so solicitous that the Constitution should be sacredly lived up to. [Applause on the Republican side.]

The gentleman from Missouri intimates that the Republican side of the House desires to do away with the roll calls because



of some fear of making a record upon some question before the House. Mr. Speaker, the Republican party in this House, the Republican party in this nation, is prepared to-day to accept full responsibility, not only for everything that is done, but for that which is not done in the way of legislation and administration. [Applause on the Republican side.] We recognize the fact, sir, that this Government to-day is Republican in all its branches. We recognize the fact that we have a Republican President, brave, wise, and courageous. We recognize that we have a Republican majority in the Senate, that we have a Republican majority in this House that is ready to resort to every legal, every proper constitutional right to enact such legislation as it deems for the best interest for the greatest number of our people, and which is willing and ready to accept full responsibility for all those measures which are introduced here and which are not enacted into law. [Applause on the Republican side.]

We are not anxious, Mr. Speaker, to avoid responsibility. The Republican party has always been ready to accept full responsibility when it has been in power, and in that respect I must say to my honored friend from Missouri that it is in direct contrast to the Democratic party, which, even when it has had the power, has lacked the courage to carry out its declared policies. [Applause on the Republican side.]

The rule which has been proposed here, Mr. Speaker, is nothing extraordinary; it is a method laid down by the House procedure by which the majority can enact such legislation as it deems wise. It is practically and substantially the same procedure that was carried out in the Fifty-second and Fifty-third Congresses, when our Democratic friends were in a majority and when they were responsible for legislation. They invoked the action of the Committee on Rules, properly so, and that is what the Republican party in this House do to-day, Mr. Speaker; they resort, not to unusual methods, but to methods laid down by the rules, laid down by the law, to enact legislation, and not waste the time in useless and senseless roll calls.

The Democratic party, Mr. Speaker, under its present leadership in the House, I assume, believes that they are making great political capital by the filibuster of the past two weeks; but, Mr. Speaker, in my judgment they are not deceiving the country. The country knows that the way to progress is not to put on the brakes. The country knows, even if the Democratic party does not know, Mr. Speaker, that the way to move forward is to move forward and not attempt to block the wheels of progress.

But it is Democratic policy; it has been heretofore, and I assume it will be long afterwards for many years yet to come, to attempt to move forward as the crab does—by moving backward. [Applause and laughter on the Republican side.] That is not Republican policy. The country is not deceived. The country is looking to the Republican party to enact certain legislation. It is looking to the Republican party to enact the great appropriation bills for carrying on this Government, and it is looking to this House to enact those laws in the speediest possible time, and to adjourn this House, and that is what the Republican party proposes to do. Our Democratic friends will discover, I expect, one of these days that they have not made the political capital out of the maneuvers of last week that they supposed they would. Democratic hindsight is always superior to Democratic foresight, Mr. Speaker. In that respect I think their situation can be described in the little verselet about the bug, with which we are all familiar, and which runs:

The lightning bug is brilliant; but it has not any mind;  
It stumbles through existence, with its headlight on behind.

[Laughter and applause on the Republican side.]

That is just what the Democratic party is doing now. Its headlight is on behind. It seems to see nothing in the future; it seems to be attempting to deceive the country with the idea that it is accomplishing undesirable legislation, forcing the Republican party to do that which that party does not deem to be wise, forcing it in its forward progress by hanging on to the wheels of progress, attempting to prevent that vehicle from moving forward. But, Mr. Speaker, the Republican party, mindful of its obligation to the country, will, as the gentleman from Missouri [Mr. DE ARMOND] admits, adopt this rule and proceed, accepting full responsibility for its every act, and enact such legislation as it deems wise, pass the great appropriation bills, and then go to the country upon the record that it has made here, confident that the country understands the whole situation and will approve what has been done. [Applause on the Republican side.]

Mr. WILLIAMS. Mr. Speaker, I desire to ask the gentleman from Pennsylvania whether he expects to use all of his remaining time in one speech?

Mr. DALZELL. Yes; in one speech.

Mr. WILLIAMS. Mr. Speaker, my friend from New York [Mr. SHERMAN], who has just taken his seat, says that the Republican party is "ready to enact" remedial legislation; that it is "ready to assume responsibility." Mr. Speaker, a little poem which I shall entitle "Ready to enact," being after Thomas Bailey Aldrich, might, perhaps, interest the House, might interest the country, too, although that phrase—the country—outrages the sensibilities of the gentleman from New York [Mr. PAYNE]. It reads as follows:

"READY TO ENACT."

(After Thomas Bailey Aldrich.)

I wonder what day of the week,  
I wonder what month of the year—  
Will it be winter or summer,  
And who of us then will be here?  
What a glorious fancy to dream!  
How full of delight and of lure!  
How soft is the Congressman's speech,  
And yet how entrancingly sure!  
The thought gives a thrilling of joy,  
Inspiring the doubter with cheer—  
But \* \* \* I wonder what day of the week,  
I wonder what month of the year!

Mr. Speaker, as is well known to all of you, I am a very remarkably good-natured man, and in view of that fact it is not strange that this huge, balky, bulky, undecided, halting, hesitating, hammered, screaming, screeching, "cussing," and, as it would have the country believe, helpless, majority has finally succeeded in exciting my commiseration, aye, my pity. [Laughter and applause on the Democratic side.] Already with the power of recognition, already with two men to one on every committee, with the power of closing debate whenever it chooses, with the Reed rules in full force back of them, these rules that were said to be perfect "to do business," having already cut off prayer even when we meet [laughter on the Democratic side], thereby acknowledging themselves beyond redemption [laughter], this great, huge, unwieldy majority, handled, as you would have the country believe, so skillfully by the triumvirate, has had to resort to three special rules. Mr. Speaker, even there the boasts of your side have gone by the board. The other day the gentleman from New York [Mr. PAYNE], like Sir Bombastes Furioso, rose upon the floor and wanted the world to know that the majority would consider what it pleased, when it pleased, and vote on nothing except what it pleased.

During the same legislative day we knocked that boast off of his lips [applause on the Democratic side], because we forced him and that side whether he and it would or not, to vote upon a proposition to secure free wood pulp, and upon another to secure a modification of the injunction laws in the interest of the reservation of the rights of the States, and upon a proposition for the modification of the injunction laws in the interests of labor. Upon these propositions every Democrat present rose on division and later passed through the tellers in favor of each proposition and every Republican against each of them. None of you then present can deny truthfully the fact that you had the opportunity to vote and did, as a matter of fact, vote against each of these measures and were forced to vote. [Applause on the Democratic side.] We were just ready to make you vote again upon a campaign contribution publicity bill when the gentleman from New York [Mr. PAYNE] rose to his feet and moved that the committee "do now rise." So that even the idle boasts have fallen to the ground.

Mr. Speaker, I feel sorry for you, especially. The cartoonists find it difficult, Mr. Speaker, to make pictures of you or me uglier than ordinary photographs of us, but they have gotten to a point where you have to such a degree excited their pity that they have succeeded. I hold in my hand a picture—I will call it a photograph, it looks so natural—of you, Mr. Speaker, with your hat flying in the air, your cigar turned downward, which shows perturbation upon your part. You are riding upon the rear haunches of the elephant, while the elephant is spouting back through his trunk in your face. How much of the Republican membership of the House constitutes the spouting or rebelling trunk, I can not say.

The Speaker is riding upon saddlebags and upon the visible or hidden side of the saddlebags we see a "Roosevelt budget." Out of the budget has already dropped the employers' liability bill that you Republicans kept in committee for three months. [Applause on the Democratic side.] I see emerging from it the titles of the other things to which we on this side have called the attention of the country, and the perspiration is rolling down the Speaker's face like great drops of water in an August shower. I find, Mr. Speaker, another picture [show-

ing it], and I would ask unanimous consent to be allowed to insert this in the Record. [Great applause on the Democratic side.]

Mr. Speaker, the other day the newspapers undertook to report what had happened in the House after I had made a quorum—which I was by no means compelled to do—of the Committee on Rules, because I thought that a nice sense of honor required me to do it, although the pair with my sick friend, Mr. SHERMAN of New York, in committees did not, and although literally I was not compelled to do it, but because, he being sick and at his house, I wanted him to feel no mental anxiety. Then the gentleman from Pennsylvania came in afterwards, after that courtesy extended to the Republicans in the committee, and cut me off even from the poor opportunity to reply to what was an insulting speech—insulting to this entire side. In reporting this, however, the paper says, "Mr. WILLIAMS is fighting mad."

Why, Mr. Speaker, no paper ever made a greater mistake. Nothing could make me grow angry with the gentleman from Pennsylvania. My temper is so good I seldom grow angry with anybody, and when I do I do it with the captain, not with the lieutenant—with the principal and not the agent. When I do, it is with Sir John Falstaff himself, not with his page. [Applause on the Democratic side.] How could I grow angry with a mere appendage? The time never existed in the House or in the State of Pennsylvania when my very dear friend the Hon. JOHN DALZELL ever had a separate command of any description.

Mr. Speaker, it is perhaps necessary for me to recur to a few words said the other day. The gentleman indulged in some language which shows he was driven beyond good nature, argument, and reason. You on that side had previously to that changed your rules of the game to suit your hand; you had previously to that broken your plighted word, and then the gentleman broke his temper as well and said that this side had indulged in a plan of campaign that was "idiotic," that was "asinine," that was "disgraceful for grown men." Mr. Speaker, I do not indulge in language of that sort, but if I were disposed to do it I might in a way ask the country—the country, I hope the gentleman from New York will understand, as well as the House—ask the country whether anything could be more "idiotic," whether anything could be more genuinely and truly "asinine," whether anything could be more of a "disgrace to grown men" than to lose one's temper where great parties are fighting one another, each according to its notion of what is right and possible to secure or to prevent the passage of great measures. [Applause on the Democratic side.]

Mr. Speaker, I merely ask those questions. I hope there is nobody who really has lost his temper, but if there be any on either side of the Chamber, what a great fool he has been, what a fool would I be, for example, to lose my temper because the leaders on the other side do not want the President and us to legislate, but the President and we are going to legislate a little bit before we get through, all the same. [Applause on the Democratic side.] I predict now we will get out a wood-pulp bill this Congress. I can not predict we will get a campaign contribution publicity bill because it is too near election when Republicans need all the secretly contributed campaign funds they can get. [Applause on the Democratic side.] Late information from the newspapers as to what has been happening around the Capitol is that the Republicans, either under instructions or without them, I know not which—

A MEMBER. With them.

Mr. WILLIAMS (continuing). Will resort to every sort of obstructive tactics to keep the Republicans of this House from getting an opportunity to vote in favor of a campaign contributions publicity bill. Mr. Speaker, I had here a moment ago a cartoon of a great cone turned upside down, and under it a lot of legs are just protruding and the Speaker of the House is holding the cone down. Here it is. The cone is marked "Special rule." Do you know whose legs those are that are hampered within the cone held by the Speaker and just protruding here?

Do you think they are Democratic legs? Why, no. You could have rendered us harmless—"cabined, cribbed, and confined" us without any special rules. You did not need them. You have power to control us under the Reed rules. Everybody knows it. These legs are the legs of Members of Congress who are Republicans, squelched and deprived of voice and visible legislative efficacy by the Speaker and the Committee on Ways and Means. [Loud and long continued applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, I shall not enter into any dispute with the gentleman from Mississippi [Mr. WILLIAMS] as

to my rank in this House or in the State of Pennsylvania or elsewhere. "I had rather be a doorkeeper in the House of my God than to dwell in the tents of wickedness." [Loud applause on the Republican side.] On every occasion when the gentleman from Mississippi has addressed the House since he inaugurated this unseemly filibuster he has appealed not only to the House, but to the country. I want to appeal to the country toward its enlightenment in the few words I shall say here at this time. This filibuster is not only unseemly, but it is unjustifiable and indefensible. And I shall preface what I have to say by reading an account of an interview published in the Washington Post of yesterday, as follows:

A prominent Democrat spoke his mind very freely against the JOHN SHARP WILLIAMS tactics, and in substantially this language:

"I am a Democrat, and I favor Democratic measures, especially if decided by caucus, but this filibustering does not strike me as the proper way to do, as statesmen, nor by way of rebuke. Now, when some great question is involved, as in the times when the Republican House attempted to give the country a bad dose of the 'force bill,' it is not only pardonable, but commendable, for the Democratic leaders to resort to every imaginable medium of obstruction and delay.

"While it is true that the Republicans were inclined to disregard the expressed wishes of the President and were slow to pass legislation that was admittedly good, yet these measures are and were all the time Republican, and it was not our business to obstruct in order to go ahead. Besides, the Congress is largely Republican, and that party is held responsible to the country for all needed legislation. We could not pass anything, if we wanted to, unless the Republican side of the House was willing. What's the use in Democrats fooling themselves by calling any of these important Administration bills Democratic? I intend to stick to my crowd, but I do not favor the methods we have been pursuing."

[Applause.]

Now, Mr. Speaker, possibly there are times when a filibuster is justifiable, as in the Fiftieth Congress, when there was a filibuster against the direct tax; as in the Fifty-second Congress, when the Republican minority, by filibuster, compelled the Democrats to adopt the Reed rules in order to count a quorum, when, as this Democrat says, there was an attempt to pass a force bill upon the Democratic party. But in this Congress there has been no possible excuse for a filibuster or the obstruction of legislation. The majority has proceeded in an orderly, decent way to pass the great appropriation bills, upon which the very existence of the Government depends. No right has been denied to the minority. There has been no limitation upon debate. For every recognition by unanimous consent, recognition by the Speaker of a Republican, there has been a corresponding recognition of a Democrat upon the other side of this House. There is no possible excuse, I say. The business of the House is further advanced than was the business of the House at a similar period in the last Congress. I have here a comparative statement.

Mr. Speaker, I want to be interrupted when I have consumed all but three minutes of my time.

In the Fifty-ninth Congress six of the twelve annual appropriation bills had been reported to the House—the Army, fortifications, Indian, legislative, pension, and post-office. In this Congress eight of the twelve regular annual appropriation bills have been reported to the House, namely, agriculture, Army, District of Columbia, fortifications, Indian, legislative, pension, and post-office. In the last Congress two had passed the Senate, namely, the fortifications and the pension appropriation bills. In this Congress all have passed the House except the District of Columbia appropriation bill, which is now ready to pass, and two bills have passed the Senate, namely, the Indian and the legislative bill. So that, Mr. Speaker, what I say is absolutely, mathematically correct. There exists no possible excuse and there exists no possible justification for this unseemly filibuster.

The SPEAKER. The gentleman has three minutes remaining.

Mr. DALZELL. I shall not repeat what I said the other day at any great length as to the childishness of the performance that we have seen enacted here within the last few days. I will only call attention to the antics of the gentlemen on the other side in the Committee of the Whole the other day when the gentleman from Texas [Mr. HENRY] moved to strike out the first six lines of the paragraph. Was not that a childish proceeding? Why, the gentleman is down in his autobiography as a lawyer, and if there be any doubt on the subject the Speaker has given him the benefit of the doubt and put him on the Committee on the Judiciary; and the gentleman is 44 years of age. I would like to know when a Texas statesman gets out of his childhood. [Applause on the Republican side.]

Mr. HENRY of Texas. I would like to ask if the gentleman from New York [Mr. PAYNE] did not move to strike out "Congress" the other day? [Applause on the Democratic side.]

Mr. DALZELL. I would go on if I had the time and cite the other amendments that were offered, but I have not the time.



The gentleman from Mississippi [Mr. WILLIAMS] himself is over 50 years of age. It must have been fifty years ago since that pathetic scene took place at Grand Junction when little Johnny and his black nurse were there. And, as the gentleman from Mississippi quotes poetry, I trust he will allow me to indulge in the same amusement.

There was a dear little boy named Johnny,  
And he had a dear old nurse named Luce.  
They were on their way to Grand Junction  
When a Chinese gong broke loose.

"Heavens," said Luce,  
"What's that, d'yo suppose?"  
"Never mind," said Johnny,  
"It's only a call for ayes and noes."

And when at length Johnny grew up  
And shed his homespun clothes,  
To Congress he went and became so great  
That he could call for the ayes and noes.  
And when his head had swelled so large  
That he had no mind for repose,  
The little fellow 'round looked on with delight,  
While Johnny called for the ayes and noes.

Oh, great is Johnny of Grand Junction,  
Much greater than you would suppose,  
But he is greatest of all in his function  
Of calling for the ayes and noes.

Dear old Lucy! She is ashes,  
But the fame of her Johnny still grows,  
While day by day he surpasses  
In calling for the ayes and noes.  
And when his life shall be written  
And he in his tomb shall repose,  
Posterity will learn that he was greatest  
When he was calling for the ayes and noes.

[Loud applause on the Republican side.]

Mr. FITZGERALD. Mr. Speaker, I ask for a division of the resolution. I call the attention of the Speaker to Rule XVI, paragraph 6, which provides:

On the demand of any Member, before the question is put, a question shall be divided if it include propositions so distinct in substance that one being taken away a substantive proposition shall remain.

In this resolution there are at least six distinctive propositions, any one of which being taken away, a distinct substantive proposition remains. The only precedent on this point as collated in the Digest is one where a resolution was introduced providing for the adoption of the rules of one Congress as the rules of the succeeding Congress.

The SPEAKER. Will the gentleman from New York be kind enough to state the different substantive propositions?

Mr. FITZGERALD. The rule provides that at 5 o'clock today and 5 o'clock on Thursday of this week the Speaker shall declare the House in recess until 11.30 o'clock the next calendar day. That is one substantive proposition. That at 11.30 on Friday of this week the Chair shall declare the House in Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill. That is the second distinct substantive proposition. That at 5 o'clock on Friday the Chairman of the Committee of the Whole House on the state of the Union shall declare the committee in recess until 11.30 on Saturday. That is the third distinct substantive proposition. And at 5 o'clock on Saturday of this week that the Chairman of the Committee of the Whole House on the state of the Union shall declare the House in recess until 11.30 o'clock on Monday of next week.

Then there is a provision, Mr. Speaker, a distinct substantive provision, that if the general debate shall not be concluded on the naval appropriation bill at 5 o'clock on Saturday of this week, that the Chairman of the committee shall then declare the committee in recess. Now, these are distinct substantive propositions, any one of which being taken from the resolution, other distinct substantive propositions remain. Under this rule of the House, which the Committee on Rules has not yet abrogated, a Member of the House is entitled to demand, before the question is put, that a separate vote be taken upon each substantive proposition in this resolution. Since the majority has exercised the power under the rules of the House to strip the minority of all its rights, some of the minority will insist upon the few rights that are still left under the rules for the rest of this session. [Loud applause on the Democratic side.]

Mr. DALZELL. This resolution is nothing more nor less than a programme of legislative proceedings, and it is absolutely impossible to make any distinction and take away part of it.

Mr. FITZGERALD. The gentleman does not mean to say that the rules recognize a programme?

Mr. DALZELL. I do.

Mr. FITZGERALD. And to pass any resolution which contains distinct substantive propositions, which, if one were taken away, leaves a distinct substantive proposition?

Mr. DALZELL. It is a substantive proposition for legislative proceedings for the week.

Mr. FITZGERALD. I call the attention of the Chair, if he desires, to the only precedent existing, a ruling of a Speaker, at that time a Republican. It was on a resolution for the adoption of the rules of a previous Congress; the first part of the resolution was held to be one substantive proposition. That very resolution contained other statements, and the Speaker admitted a division of the resolution and separate votes upon each substantive proposition in it.

Mr. KEIFER. Mr. Speaker, I do not desire to discuss this question. If it were not for this rule, that permits forty minutes' debate after the previous question is ordered, no debate would be in order at all. We have but one proposition here, and that is a rule.

Mr. MANN. Mr. Speaker, if I can have attention for one moment, it seems to me that the gentleman from New York is in error when he thinks there are seven different substantive propositions contained in this resolution. He says that this proposition to take a recess on Friday night is a substantive proposition; that the proposition to take a recess on Saturday night is a substantive proposition. Ah, Mr. Speaker, they all depend each on the other. It would not be possible for the House under the rules, to provide that the Committee of the Whole should take a recess on Friday if we did not include that with the rest of the resolution.

Mr. FITZGERALD. The gentleman does not mean that, because the rule provides that the House shall take a recess in two cases and that the House go into Committee of the Whole, and thereafter the Committee of the Whole should take a recess, that these are not distinct propositions.

The SPEAKER. The Chair is prepared to rule. On a careful examination of this rule, the Chair finds that there are five substantive propositions and five only, so that if the gentleman demands a separate vote upon either or all of them, a separate vote will be taken.

Mr. FITZGERALD. I do so demand a separate vote on each of them.

Mr. MANN. I move to suspend the rules and pass the resolution.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that the previous question having been ordered, it is not in order to move that.

Mr. MANN. I withdraw the motion. [Applause on the Democratic side.]

The SPEAKER. The Clerk will report the first substantive proposition.

The Clerk read as follows:

Resolved, That on this day and on Thursday of this week the House shall take a recess at 5 o'clock p. m. until 11.30 a. m. of the next calendar day.

The SPEAKER. As many as are in favor of agreeing to the portion of the resolution just read will say "aye," those opposed "no." [The vote being taken.] The "ayes" seem to have it.

Mr. FITZGERALD. Division!

Mr. WILLIAMS. Mr. Speaker, tellers!

Mr. WATSON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 149, nays 128, answered "present" 7, not voting 103, as follows:

YEAS—149.

Alexander, N. Y.	Crumpacker	Haugen	McGavin
Allen	Cushman	Hawley	McGuire
Ames	Dalzell	Henry, Conn.	McKinlay, Cal.
Andrus	Darragh	Higgins	McKinley, Ill.
Anthony	Davidson	Hill, Conn.	McLachlan, Cal.
Barclay	Davis, Minn.	Holliday	McLaughlin, Mich.
Bartholdt	Dawson	Howell, N. J.	McMillan
Bates	Denby	Howell, Utah	Madden
Bede	Diekema	Howard	Madison
Bennet, N. Y.	Douglas	Hubbard, Iowa	Malby
Birdsall	Dwight	Hubbard, W. Va.	Mann
Bonyne	Ellis, Mo.	Hoff	Marshall
Boyd	Ellis, Oreg.	Hull, Iowa	Miller
Bradley	Englebright	Humphrey, Wash.	Mondell
Brownlow	Esch	Jones, Wash.	Moore, Pa.
Burke	Fassett	Kahn	Moore, Pa.
Burleigh	Focht	Kelley	Mouser
Burton, Del.	Foss	Kennedy, Iowa	Murdoch
Butler	Foulkrod	Kennedy, Ohio	Needham
Calder	French	Kinkaid	Norris
Calderhead	Fuller	Knowland	Nye
Campbell	Gaines, W. Va.	Kustermann	Olcott
Capron	Gardner, Mich.	Lafan	Parker, N. J.
Cary	Gardner, N. J.	Landis	Payne
Caulfield	Goebel	Langley	Perkins
Chaney	Graff	Laning	Porter
Chapman	Graham	Lawrence	Pray
Cocks, N. Y.	Haegott	Lindbergh	Reeder
Cole	Hale	Littlefield	Scott
Conner	Hamilton, Mich.	Lowden	Sherman
Cook, Pa.	Haskins	McCall	Smith, Cal.

Smith, Iowa  
Smith, Mich.  
Snapp  
Southwick  
Stafford  
Steenerson  
Sterling

Sulloway  
Tawney  
Taylor, Ohio  
Thistlewood  
Thomas, Ohio  
Tirrell  
Townsend

Volstead  
Vreeland  
Waldo  
Wanger  
Washburn  
Watson  
Weeks

Weems  
Wilson, Ill.  
Wood  
Young

## NAYS—128.

Adair  
Adamson  
Aiken  
Alexander, Mo.  
Ansherry  
Ashbrook  
Bartlett, Ga.  
Beall, Tex.  
Bell, Ga.  
Bocher  
Bowers  
Brantley  
Brundidge  
Burgess  
Burleson  
Burnett  
Byrd  
Caldwell  
Candler  
Carlin  
Carter  
Clark, Mo.  
Clayton  
Cockran  
Cooper, Tex.  
Cox, Ind.  
Craig  
Cravens  
Crawford  
De Armond  
Denver  
Dixon

Ellerbe  
Favrot  
Ferris  
Fitzgerald  
Flood  
Floyd  
Fornes  
Fulton  
Galnes, Tenn.  
Garner  
Garrett  
Gill  
Gillespie  
Godwin  
Goldfogle  
Gordon  
Goulden  
Granger  
Gregg  
Hackett  
Hackney  
Hamill  
Hamlin  
Hammond  
Hardwick  
Hardy  
Hay  
Healin  
Helm  
Henry, Tex.  
Hill, Miss.  
Hobson

Houston  
Hughes, N. J.  
Hull, Tenn.  
Humphreys, Miss.  
James, Ollie M.  
Johnson, Ky.  
Johnson, S. C.  
Jones, Va.  
Kelher  
Kitchin, Claude  
Kitchin, Wm. W.  
Lamar, Mo.  
Lamb  
Leake  
Lee  
Legare  
Lindsay  
Lloyd  
McHenry  
McLain  
Macon  
Maynard  
Moon, Tenn.  
Moore, Tex.  
Murphy  
Nicholls  
O'Connell  
Page  
Patterson  
Peters  
Pou  
Pujo

Rainey  
Randell, Tex.  
Ransdell, La.  
Rauch  
Reid  
Richardson  
Riordan  
Robinson  
Rothermel  
Rucker  
Russell, Mo.  
Russell, Tex.  
Ryan  
Sabath  
Saunders  
Sheppard  
Sherley  
Sherwood  
Sims  
Slayden  
Small  
Smith, Tex.  
Spight  
Stephens, Tex.  
Sulzer  
Taylor, Ala.  
Thomas, N. C.  
Tou Velle  
Watkins  
Webb  
Williams  
Wilson, Pa.

## ANSWERED "PRESENT"—7.

Brodhead  
Cousins

Jenkins  
Knopf

Nelson  
Prince

Sturgiss

## NOT VOTING—103.

Acheson  
Bannon  
Barchfeld  
Bartlett, Nev.  
Beale, Pa.  
Bennett, Ky.  
Bingham  
Boutell  
Broussard  
Brumm  
Burton, Ohio  
Clark, Fla.  
Cook, Colo.  
Cooper, Pa.  
Cooper, Wis.  
Coudrey  
Currier  
Davenport  
Davey, La.  
Dawes  
Draper  
Driscoll  
Dunwell  
Durey  
Edwards, Ga.  
Edwards, Ky.

Fairchild  
Finley  
Fordney  
Foster, Ill.  
Foster, Ind.  
Foster, Vt.  
Fowler  
Gardner, Mass.  
Gilhams  
Gillett  
Glass  
Greene  
Griggs  
Gronna  
Hall  
Hamilton, Iowa  
Harding  
Harrison  
Hayes  
Hepburn  
Hinshaw  
Hitchcock  
Howard  
Hughes, W. Va.  
Jackson  
James, Addison D. Parker, S. Dak.

Kimball  
Kipp  
Knapp  
Lamar, Fla.  
Lassiter  
Law  
Lenahan  
Lever  
Lewis  
Lilley  
Livingston  
Longworth  
Lorimer  
Loud  
Loudenslager  
Lovering  
McCreary  
McDermott  
McKinney  
McMorran  
Morse  
Mudd  
Olmsted  
Overstreet  
Padgett

Parsons  
Pearre  
Pollard  
Powers  
Pratt  
Reynolds  
Rhinoek  
Roberts  
Rodenberg  
Shackelford  
Slomp  
Smith, Mo.  
Sparkman  
Sperry  
Stanley  
Stevens, Minn.  
Talbot  
Underwood  
Wallace  
Weisse  
Wheeler  
Wiley  
Willett  
Wolf  
Woodyard

So the first substantive proposition of the resolution was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. STURGISS with Mr. SHACKLEFORD.

Mr. KNAPP with Mr. HITCHCOCK.

Mr. MCCREARY with Mr. SPARKMAN.

Mr. MORSE with Mr. STANLEY.

Mr. DRISCOLL with Mr. THOMAS of North Carolina.

Mr. BANNON with Mr. UNDERWOOD.

Mr. HEPBURN with Mr. BARTLETT of Nevada.

Mr. OLLIE M. JAMES. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. OLLIE M. JAMES. I was present and did not hear my name.

The SPEAKER pro tempore (Mr. MANN). Was the gentleman in the Chamber and listening when his name should have been called and failed to hear it?

Mr. OLLIE M. JAMES. I was.

The SPEAKER pro tempore. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. OLLIE M. JAMES, and he voted "no," as above recorded.

The result of the vote was then announced, as above recorded.

The SPEAKER. The Clerk will read the next substantive proposition.

The Clerk read as follows:

That on Friday, April 10, at 11.30 a. m., the Speaker shall declare the House in Committee of the Whole House on the state of the Union for the consideration of H. R. 20471, the naval appropriation bill; that at 5 o'clock p. m. on Friday, April 10, the Chairman of the Committee of the Whole House on the state of the Union shall declare the

committee in recess until 11.30 a. m. on Saturday, April 11; that at 5 o'clock p. m., Saturday, April 11, the Chairman of the Committee of the Whole House on the state of the Union shall declare the committee in recess until 11.30 o'clock a. m. on Monday, April 13.

The SPEAKER. The Chair will state that on a hasty examination of the substantive proposition the Chair was inclined to be of the opinion that there were four, but on a second and more careful consideration the Chair is of opinion that there are but three substantive propositions.

Mr. FITZGERALD. If the Chair will indulge me a moment, not captiously, there is a substantive proposition that the Chair shall declare the House in Committee of the Whole for the consideration of a certain bill. Now, that is a substantive proposition which the House should vote on and determine.

The SPEAKER. Seemingly so, but in fact not so. The Clerk will read the ruling of the Chair.

The Clerk read as follows:

The Chair, on reexamination of the rule, is inclined to think that there are only three substantive propositions. The Chair is willing to admit that the question is somewhat close and that several clauses may be segregated each of which makes a grammatical proposition, but not a substantial proposition in the sense that it makes a substantive rule for action of the House. Thus, one or two clauses in what may fairly be considered the second portion make, it is true, grammatical propositions, but they do not make substantive propositions within the intent of the resolution, which is to provide a rule of action. Thus those clauses provide for the Committee of the Whole to take a recess, but hardly make a substantive rule without the other clause, which provides that there shall be a Committee of the Whole at the time the recess is to be taken.

Mr. FITZGERALD. Since the Chair deems it a close question, I respectfully appeal from the decision of the Chair.

Mr. MANN. I move to lay that appeal on the table.

Mr. DALZELL. I suggest that the appeal is dilatory.

Mr. FITZGERALD. It is not dilatory to appeal from a close decision of parliamentary law.

The SPEAKER. The Chair holds that it is dilatory in substance and in fact.

Mr. FITZGERALD. I deny that the appeal is dilatory.

The SPEAKER. The question is on the second substantive proposition.

The question was taken, and on a division (demanded by Mr. FITZGERALD) there were—ayes 67, noes 70. [Applause on the Democratic side.]

Mr. ALEXANDER of New York. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays.

Mr. SULZER. No quorum, Mr. Speaker.

The SPEAKER. The point is made that there is no quorum.

Mr. FITZGERALD. I make the point of order that the roll has just been called and disclosed a quorum.

The SPEAKER. The point of no quorum is made. The doors will be closed, the Sergeant-at-Arms will notify absent Members, the yeas and nays are ordered under the rule, and as many as are in favor of the second substantive proposition will, when their names are called, answer "aye," and those opposed will answer "no;" those present will answer "present." The Clerk will call the roll.

The question was taken, and there were—yeas 148, nays 119, answered "present" 9, not voting 111, as follows:

## YEAS—148.

Alexander, N. Y.  
Allen  
Ames  
Andrus  
Anthony  
Barclay  
Bartholdt  
Bates  
Bede  
Bennet, N. Y.  
Birdsall  
Bonynge  
Boyd  
Bradley  
Brownlow  
Burke  
Burling  
Burton, Del.  
Butler  
Calder  
Calderhead  
Campbell  
Capron  
Caulfield  
Chaney  
Chapman  
Cocks, N. Y.  
Cole  
Conner  
Cook, Pa.  
Crumpacker  
Cushman  
Dalzell  
Darragh  
Davidson  
Davis, Minn.  
Dawson

Denby  
Diekema  
Douglas  
Dwight  
Ellis, Mo.  
Ellis, Oreg.  
Englebright  
Esch  
Fassett  
Focht  
Foss  
Foster, Vt.  
Foulkrod  
French  
Fuller  
Galnes, W. Va.  
Gardner, Mich.  
Gardner, N. J.  
Gillett  
Goebel  
Graft  
Graham  
Haggott  
Hale  
Hamilton, Mich.  
Harding  
Haskins  
Haugen  
Hawley  
Henry, Conn.  
Higgins  
Holliday  
Howell, N. J.  
Howell, Utah  
Howland  
Hubbard, Iowa  
Hubbard, W. Va.

Huff  
Humphrey, Wash.  
Jones, Wash.  
Kahn  
Keller  
Kennedy, Iowa  
Kennedy, Ohio  
Kinkaid  
Knowland  
Klistermann  
Lafan  
Landis  
Langley  
Lanning  
Law  
Lawrence  
Lindbergh  
Littlefield  
Lowden  
McCall  
McGavin  
McGuire  
McKinlay, Cal.  
McKinley, Ill.  
McMillan  
Madden  
Madison  
Malby  
Mann  
Marshall  
Miller  
Moon, Pa.  
Moore, Pa.  
Mouser  
Mudd  
Murdock  
Needham

Norris  
Nye  
Olcott  
Overstreet  
Parker, N. J.  
Payne  
Pearre  
Perkins  
Porter  
Pray  
Reeder  
Reeder  
Scott  
Sherman  
Smith, Cal.  
Smith, Iowa  
Smith, Mich.  
Snapp  
Southwick  
Stafford  
Steenerson  
Sterling  
Sulloway  
Tawney  
Taylor, Ohio  
Thistlewood  
Thomas, Ohio.  
Volstead  
Vreeland  
Waldo  
Wanger  
Washburn  
Watson  
Weeks  
Weems  
Wilson, Ill.  
Wood  
Young



## NAYS—119.

Adair	Fitzgerald	Humphreys, Miss.	Randell, Tex.
Adamson	Flood	James, Ollie M.	Rauch
Aiken	Floyd	Johnson, Ky.	Reld
Alexander, Mo.	Fornes	Johnson, S. C.	Rhinock
Ansberr	Fulton	Jones, Va.	Richardson
Ashbrook	Gaines, Tenn.	Keliber	Riordan
Bartlett, Ga.	Garner	Kitchin, Claude	Robinson
Bartlett, Nev.	Garrett	Kitchin, Wm. W.	Rothermel
Beall, Tex.	Gill	Lamar, Mo.	Rucker
Bell, Ga.	Gillespie	Lamb	Russell, Mo.
Booher	Godwin	Leake	Russell, Tex.
Bowers	Goldfogle	Lee	Ryan
Brodhead	Gordon	Legare	Sabath
Brundidge	Goulden	Lewis	Sheppard
Burleson	Granger	Lindsay	Sherley
Byrd	Hackett	Lloyd	Sims
Caldwell	Hackney	McHenry	Small
Candler	Hamill	McLain	Smith, Tex.
Carlin	Hammond	Macon	Spight
Carter	Hardwick	Maynard	Stanley
Clark, Mo.	Hardy	Moon, Tenn.	Stephens, Tex.
Clayton	Hay	Moore, Tex.	Sulzer
Cox, Ind.	Hefflin	Murphy	Taylor, Ala.
Cravens	Helm	Nicholls	Thomas, N. C.
De Armond	Hobson	O'Connell	Tou Velle
Denver	Houston	Page	Underwood
Dixon	Hughes, N. J.	Patterson	Webb
Ellerbe	Hull, Tenn.	Peters	Williams
Favrot		Pou	Wilson, Pa.
Ferris		Rainey	

## ANSWERED "PRESENT"—9.

Cousins	Hull, Iowa	Knopf	Shackleford
Currier	Jenkins	Prince	Sturgiss
Foster, Ind.			

## NOT VOTING—111.

Acheson	Dunwell	James, Addison D.	Pollard
Bannon	Durey	Kimball	Powers
Barchfeld	Edwards, Ga.	Kipp	Pratt
Beale, Pa.	Edwards, Ky.	Knapp	Pujo
Bennett, Ky.	Fairchild	Lamar, Fla.	Ransdell, La.
Bingham	Finley	Lassiter	Reynolds
Boutell	Fordney	Lenahan	Roberts
Brantley	Foster, Ill.	Lever	Rodenberg
Broussard	Fowler	Lilley	Saunders
Brumm	Gardner, Mass.	Livingston	Sherwood
Burgess	Gilham	Longworth	Slayden
Burnett	Glass	Lorimer	Slemp
Burton, Ohio	Greene	Loud	Smith, Mo.
Cary	Gregg	Loudenslager	Sparkman
Clark, Fla.	Griggs	Lovering	Sperry
Cockran	Gronna	McCreary	Stevens, Minn.
Cook, Colo.	Hall	McDermott	Talbott
Cooper, Pa.	Hamilton, Iowa	McKinney	Townsend
Cooper, Tex.	Harrison	McLachlan, Cal.	Townsend
Cooper, Wis.	Hayes	McLaughlin, Mich.	Wallace
Coudrey	Henry, Tex.	McMorran	Watkins
Craig	Hepburn	Mondell	Weisse
Crawford	Hill, Conn.	Morse	Wheeler
Davenport	Hinshaw	Nelson	Wiley
Davey, La.	Hitchcock	Olmsted	Willett
Dawes	Howard	Padgett	Wolf
Draper	Hughes, W. Va.	Parker, S. Dak.	Woodyard
Driscoll	Jackson	Parsons	

So the second substantive proposition was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. HULL of Iowa with Mr. SLAYDEN.

Mr. CARY with Mr. HENRY of Texas.

Mr. PEARRE with Mr. GREGG.

Mr. MORSE with Mr. BURGESS.

Mr. BANNON with Mr. BURNETT.

Mr. HEPBURN with Mr. CRAWFORD.

Mr. DRISCOLL with Mr. RANDELL of Louisiana.

Mr. LOVERING with Mr. SAUNDERS.

Mr. REYNOLDS with Mr. SHERWOOD.

Mr. STEPHENS of Minnesota with Mr. CRAIG.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. TAWNEY). The Clerk will read the next proposition.

The Clerk read as follows:

That general debate on the naval appropriation bill shall close not later than at 5 o'clock p. m. Saturday, April 11; the time to be equally divided between the majority and minority and controlled by the chairman of the Naval Committee and by the senior member of the majority.

The SPEAKER pro tempore. The question is on agreeing to the proposition just read.

The question was taken, and on a division (demanded by Mr. FITZGERALD) there were—ayes 86, noes 73.

Mr. FITZGERALD. Mr. Speaker, I demand tellers.

Mr. PAYNE. Mr. Speaker, I make the point of order that that proceeding is dilatory, the Chair having carefully counted the House and there being a decided majority.

Mr. FITZGERALD. Mr. Speaker, the vote is very close.

The SPEAKER pro tempore. The Chair sustains the point of order.

Mr. FITZGERALD. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 146, nays 121, answered "present" 7, not voting 113, as follows:

## YEAS—146.

Alexander, N. Y.	Douglas	Jones, Wash.	Nye
Allen	Dwight	Keifer	Olcott
Ames	Ellis, Mo.	Kennedy, Iowa	Overstreet
Andrus	Ellis, Oreg.	Kennedy, Ohio	Parker, N. J.
Anthony	Englebright	Kinkaid	Payne
Barclay	Esch	Knowland	Perkins
Bartholdt	Fassett	Küstermann	Porter
Bates	Fitzgerald	Lafean	Pray
Bede	Focht	Landis	Reeder
Bennet, N. Y.	Foss	Langley	Scott
Birdsall	Foster, Vt.	Lanning	Sherman
Bonyne	Foulkrod	Law	Smith, Cal.
Boyd	French	Lawrence	Smith, Iowa
Bradley	Fuller	Lindbergh	Smith, Mich.
Brownlow	Gardner, Mich.	Loud	Snapp
Burke	Gardner, N. J.	Lowden	Southwick
Burleigh	Goebel	McCall	Stafford
Butler	Graff	McGavin	Steenerson
Calder	Graham	McGuire	Sterling
Calderhead	Haggott	McKinlay, Cal.	Sturgiss
Caulfield	Hale	McKinley, Ill.	Sulloway
Chapman	Hamilton, Mich.	McLachlan, Cal.	Tawney
Cocks, N. Y.	Harding	McLaughlin, Mich.	Taylor, Ohio
Conner	Haskins	McMillan	Thistlewood
Cook, Colo.	Haugen	Madison	Thomas, Ohio
Cook, Pa.	Hawley	Malby	Tirrell
Crumpacker	Henry, Conn.	Mann	Townsend
Cushman	Higgins	Marshall	Waldo
Dalzell	Hill, Conn.	Miller	Washburn
Darragh	Holliday	Moore, Pa.	Watson
Davidson	Howell, N. J.	Moore, Pa.	Weeks
Davis, Minn.	Howell, Utah	Mouser	Weems
Dawson	Hubbard, Iowa	Mudd	Wilson, Ill.
Denby	Hubbard, W. Va.	Murdock	Wood
Dickema	Huff	Needham	Young
	Humphrey, Wash.	Norris	

## NAYS—121.

Adair	Ellerbe	Hughes, N. J.	Reid
Adamson	Favrot	Hull, Tenn.	Richardson
Aiken	Ferris	Humphreys, Miss.	Riordan
Alexander, Mo.	Flood	Johnson, Ky.	Robinson
Ansberr	Floyd	Jones, Va.	Rothermel
Ashbrook	Fornes	Keliber	Rucker
Bartlett, Ga.	Fulton	Kitchin, Wm. W.	Russell, Mo.
Bartlett, Nev.	Gaines, Tenn.	Lamar, Mo.	Russell, Tex.
Beall, Tex.	Garner	Lamb	Ryan
Bell, Ga.	Garrett	Leake	Sabath
Booher	Gill	Lee	Sheppard
Bowers	Gillespie	Legare	Sherley
Brodhead	Godwin	Lindsay	Sherwood
Brundidge	Goldfogle	Lloyd	Sims
Burgess	Gordon	McHenry	Small
Burleson	Goulden	McLain	Smith, Tex.
Burnett	Granger	Macon	Spight
Byrd	Hackett	Maynard	Stanley
Caldwell	Hackney	Moon, Tenn.	Stephens, Tex.
Candler	Hamill	Moore, Tex.	Sulzer
Carlin	Hamlin	Murphy	Taylor, Ala.
Carter	Hammond	Nicholls	Thomas, N. C.
Clark, Mo.	Hardwick	O'Connell	Tou Velle
Clayton	Hardy	Page	Underwood
Cooper, Tex.	Hay	Patterson	Watkins
Cox, Ind.	Hefflin	Peters	Webb
Craig	Helm	Pou	Williams
Cravens	Henry, Tex.	Rainey	Wilson, Pa.
De Armond	Hill, Miss.	Randell, Tex.	
Denver	Hobson	Ransdell, La.	
Dixon	Houston	Rauch	

## ANSWERED "PRESENT"—7.

Cousins	Jenkins	Lewis	Shackleford
Foster, Ind.	Knopf	Prince	

## NOT VOTING—113.

Acheson	Edwards, Ga.	Johnson, S. C.	Pollard
Bannon	Edwards, Ky.	Kahn	Powers
Barchfeld	Fairchild	Kimball	Pratt
Beale, Pa.	Finley	Kipp	Pujo
Bennett, Ky.	Fordney	Kitchin, Claude	Reynolds
Bingham	Foster, Ill.	Knapp	Rhinock
Boutell	Fowler	Lamar, Fla.	Roberts
Brantley	Gaines, W. Va.	Lassiter	Rodenberg
Broussard	Gardner, Mass.	Lenahan	Saunders
Brumm	Gilham	Lever	Slayden
Burton, Del.	Gillett	Lilley	Slemp
Burton, Ohio	Glass	Littlefield	Smith, Mo.
Cary	Greene	Livingston	Sparkman
Chaney	Gregg	Longworth	Sperry
Clark, Fla.	Griggs	Lorimer	Stevens, Minn.
Cockran	Gronna	Loudenslager	Talbott
Cole	Hall	Lovering	Voistead
Cooper, Pa.	Hamilton, Iowa	McCreary	Vreeland
Cooper, Wis.	Harrison	McDermott	Wallace
Coudrey	Hayes	McKinney	Wanger
Crawford	Hepburn	McMorran	Weisse
Currier	Hinshaw	Mondell	Wheeler
Davenport	Hitchcock	Morse	Wiley
Davey, La.	Howard	Nelson	Willett
Dawes	Hughes, W. Va.	Olmsted	Wolf
Draper	Hull, Iowa	Padgett	Woodyard
Driscoll	Jackson	Parker, S. Dak.	
Dunwell	James, Addison D.	Parsons	
Durey	James, Ollie M.	Pearre	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ANDRUS with Mr. JOHNSON of South Carolina.

Mr. KAHN (in favor of) with Mr. CLAUDE KITCHIN (against).  
 Mr. CARY with Mr. OLLIE M. JAMES.  
 The result of the vote was announced as above recorded.  
 Mr. FITZGERALD. Mr. Speaker, I move to reconsider the last vote.

The SPEAKER pro tempore (Mr. TAWNEY). Under the roll calls that have been had—

Mr. DALZELL. Mr. Speaker, what was the result of the vote?

The SPEAKER pro tempore. The last vote was, yeas 146, nays, 121.

Mr. DALZELL. Then, Mr. Speaker, I make the point of order that the motion to reconsider is dilatory.

The SPEAKER pro tempore. The Chair sustains the point of order.

Mr. FITZGERALD. Mr. Speaker, I hope the Chair will indulge me a moment on the ruling—

The SPEAKER pro tempore. The Chair has already decided the motion.

Mr. FITZGERALD. It is the universal practice to move to reconsider a vote by which resolutions are adopted, the rules make it a privileged motion, and—

The SPEAKER pro tempore. The Chairman has decided—

Mr. FITZGERALD. If the Chair desires to hold that privileged motions are dilatory, let the country know it. I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized.

Mr. FITZGERALD. Mr. Speaker, I move that the House do now adjourn.

Mr. PAYNE. Mr. Speaker, I make the point of order that that motion is dilatory.

The SPEAKER pro tempore. The Chair sustains the point of order.

Mr. FITZGERALD. That it is a dilatory motion?

The SPEAKER pro tempore. That it is a dilatory motion.

Mr. FITZGERALD. No; it is not a dilatory motion.

#### WOOD PULP AND PRINT PAPER.

Mr. JENKINS. Mr. Speaker, by unanimous direction of the Committee on the Judiciary, I ask for present consideration of a privileged resolution.

The SPEAKER pro tempore. The gentleman from Wisconsin offers the following privileged report from the Committee on the Judiciary, which the Clerk will report.

The Clerk read as follows:

The Committee on the Judiciary have had under careful consideration House resolution No. 320 and have directed me to report the same back to the House with the recommendation that the same be adopted.

The Clerk also read:

#### Resolution 320.

*Resolved*, That the Attorney-General be directed to transmit to the House, if not incompatible with the public service, such papers and information as may be in possession of his Department showing what steps, if any, have been taken to investigate the action of the International Paper Company, of New York, and other corporations, joint stock companies, or corporate combinations engaged in the manufacture of wood pulp or print paper or the sale thereof; and what steps have been taken to prosecute the said corporation or corporations, joint stock companies, or combinations for violation of the law in case reasons for such prosecutions may have appeared from investigation, information from the Department of Commerce and Labor, or otherwise.

Mr. JENKINS. Mr. Speaker—

Mr. CLAYTON. Mr. Speaker, does the gentleman from Wisconsin [Mr. JENKINS] yield to me?

Mr. JENKINS. How much time does the gentleman from Alabama desire?

Mr. CLAYTON. Five minutes.

Mr. JENKINS. I yield five minutes to my colleague on the committee [Mr. CLAYTON].

The SPEAKER pro tempore. The gentleman from Alabama [Mr. CLAYTON] is recognized for five minutes.

Mr. CLAYTON. This House resolution No. 320 and House resolution No. 321 I may as well speak of together, as they both came from the committee practically at the same time and both relate to the same subject. House resolution No. 320, as the reading discloses, asks the Attorney-General, if not incompatible with the public service, to communicate to the House what investigation, if any, he has made of the alleged criminal trade conspiracy in regard to the manufacture and sale of paper, and what steps, if any, he has taken to prosecute that criminal trade conspiracy if such has been found to exist. The other resolution requires the Bureau of Corporations to report to the House what investigation it has made; in other words, if it has made a diligent investigation into the organization and conduct and management of the business of the International Paper Company, of New York, and other corporations or combinations engaged in the criminal trade conspiracy affecting the

paper industry of the country. It requires the Secretary of Commerce and Labor to report the information he has gathered on that, if not incompatible with the public service.

Mr. Speaker, the minority of the Committee on the Judiciary, as well as the minority on this side, demanded substantial relief at the hands of this Congress from this trade conspiracy. Some Members on this side have introduced measures seeking to put wood pulp and other material for the manufacture of paper upon the free list. The majority in control of this House strangled those bills. You have strangled the efforts of the people to get relief from this trade conspiracy [applause on the Democratic side], and instead of relief, the best thing that the minority can exact of you is that when the "Big Stick" in the White House gets busy, and in conjunction with the minority in this House, the Speaker of this House is compelled, himself, to introduce these two resolutions on this important subject. [Applause on the Democratic side.] And instead of getting relief, the proposition is to give us information. I hope these two Departments will give us such information as will prick the conscience of that side of this Chamber, so that the country may be relieved from the oppression of this criminal trade conspiracy. [Applause on the Democratic side.]

Mr. Speaker, these resolutions come from the Committee on the Judiciary with an unanimous report. We on this side give it our hearty approval, and we hope, though we may be disappointed, that these two great Departments in our Government may give us some information, at least, although there is some doubt about that. But I hope the swish of the "big stick," together with the filibuster, if you please, of the minority, may be effective to force the leaders of that side to bring the bills out of the Committee on Ways and Means and into this House, [Applause on the Democratic side.]

I yield the rest of my time to the gentleman from Mississippi [Mr. WILLIAMS].

The SPEAKER pro tempore. The gentleman has half a minute remaining.

Mr. CLAYTON. Mr. Speaker, I ask the gentleman from Wisconsin [Mr. JENKINS] to give the gentleman from Mississippi [Mr. WILLIAMS] five minutes.

Mr. JENKINS. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WILLIAMS] five minutes. [Applause on the Democratic side.]

Mr. WILLIAMS. Mr. Speaker, I sincerely appreciate the courtesy of extending my time.

This is one of the things that we on this side of the Chamber are emphatically in favor of. This is one of the things to which I referred the other day when I said that as rapidly as you could bring in remedial legislation along these lines we would help you to illustrate how quickly the House could legislate.

But, Mr. Speaker, this resolution itself illustrates how quickly a bill or a resolution sent to a standing committee of this House can come out of it whenever the Speaker of this House is in favor of its coming out. [Applause on the Democratic side.] This resolution was sent to this committee, if I mistake not, some three days ago. It is now before this House for consideration. I dislike to seem ungracious, but in this connection I must read an editorial letter from the New York World, which strikes me as just. It reads as follows:

#### SPEAKER CANNON'S HUMBLED RESOLUTION.

Does "Uncle Joe" CANNON think that he can play the double part of a stand-pat Speaker and a tariff-revisionist candidate for President without being exposed?

Speaker CANNON's resolution is very significant.

That is the resolution we are now considering.

He has seen how little the prosecution of manufacturers for entering into illegal combinations affects their power arbitrarily to fix prices, and he favors that harmless method of dealing with them. What he opposes is effective revision of the tariff duties—

[Applause on the Democratic side.]

that afford shelter to the trust. This means that, if when the Republicans eventually undertake to revise the Dingley rates "Uncle Joe" CANNON is Speaker, it is fair to assume that his influence will be used with his Committee on Ways and Means to retain the Dingley duties under which the paper trust and other trusts have so heavily oppressed consumers and other producers.

In an interview upon this subject the Speaker said that he did not see how anybody could contend that a price of paper, which was at a higher level than the expense of production, plus a fair profit, plus the tariff duty, could be produced by the tariff, and yet the reply is very simple. A trust which is formed under the shelter of the tariff has not only the power to raise prices when it wants to exploit consumers, but it has the power to lower prices temporarily whenever it desires to rout an invading adversary. It therefore invariably raises them above the level of the tariff duty when an opportunity to raise is presented. A competitor abroad knows that the moment he starts a shipment, that the moment that shipment gets into the



American market, this trust—which has had its birth behind the shelter of the tariff, and could not have it in any other place—will immediately reduce the price to such an extent as to make it unprofitable for him to sell the goods he has exported into the United States. So that all that he can sell is limited to the quantity that he sells by contract at a fixed price and profit before they leave the foreign country. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PAYNE. Mr. Speaker, in his present frame of mind it seems impossible for the gentleman from Mississippi to be just for a single moment. He knows, or ought to know, that a resolution of this class is privileged, and unless the committee reports it in seven days it can be called up. He ought to know that that accounts for the celerity with which this resolution has come from the committee, and he ought not to have insinuated that the Speaker of the House having introduced the resolution that was the reason it came to the House. [Applause on the Republican side.] The gentleman from Nebraska [Mr. HITCHCOCK], in a speech he made a month or two ago asserted, and came nearer to demonstrating the proposition than any proposition I ever heard him make before or since, that the price of paper was lower in this country two or three years ago because the Government broke up the paper trust. He produced the dates and the figures. I simply refer to his speech upon that subject. I know that he has been trying to repair it since, but fortunately his speech is in the Record and is on record. There is some clamor in this House and outside of it—

Mr. HENRY of Texas. Will the gentleman yield to me for one question?

Mr. PAYNE. I have only five minutes. (Continuing.) For the taking off of the duty on paper and pulp and passing a bill that simply leaves, in case an export duty is put upon logs—pulp logs, coming from Canada—an equal duty on pulp and one-tenth of a cent a pound for each dollar of export duty that is put upon these pulp logs. We are importing now about 9,000 tons of paper from Canada. They are making what they want there, and they export but a trifle anywhere in the world. We produce in this country over 1,000,000 tons of paper, used in printing newspapers. Does anyone suppose by the passing of a bill putting pulp and paper on the free list in the twinkling of an eye you can transfer an industry from the United States to Canada? Or that under those circumstances the Canadian Parliament, which has been agitating this question for several months, and is only kept from imposing an export duty on pulp logs because we have this duty of three-tenths of a cent upon paper, to be increased by one-tenth of a cent for every dollar export duty on logs—does anyone suppose for a moment that the Canadian Parliament will not immediately avail itself of the revenue it would get by putting an export duty of a dollar a cord upon logs; and if they did that, where would you get your relief? Where would you get your cheaper paper? Where, in the name of common sense, would you benefit anybody in this country?

I know there has been some cheap talk about a tax on intelligence. Why did not the gentleman from Mississippi go to his own State and ask the legislature to take the local taxes from newspaper plants, because it is a tax upon intelligence? Why not be consistent? Why not treat these subjects as intelligent men and discuss them as intelligent men, and not go into hysterics over the matter? The difficulty is you feel there are too many votes behind the newspaper people in this country who, under the protection which comes not from the tariff, but from locality, have a monopoly of the newspaper business in the United States, and try to rush Congress into the idea, without investigation, without looking into the facts, without determining whether it would deprive 38,000 people of a means of livelihood, the men who are employed in this paper industry, that they would have us remove the tax, or say they are trying to force us to remove the tax by calling the yeas and nays. [Applause on the Republican side.]

Mr. HENRY of Texas. I would like to have just two minutes, and should like the gentleman to yield me five minutes, if he will give me that much.

Mr. JENKINS. I should be very glad to if I could, but I can not.

Mr. HENRY of Texas. I am a member of the committee, and would like to be recognized.

Mr. JENKINS. I yield to the gentleman from Texas one minute.

Mr. MANN. We will give him two minutes if that side will not ask for a roll call.

Mr. JENKINS. I will yield two minutes to the gentleman.

Mr. HENRY of Texas. Mr. Speaker, I am not willing that the statement of the gentleman from New York should go to the country unchallenged, because he has "innocently" perverted the facts. The gentleman from Mississippi [Mr. WILLIAMS] referred to him the other day as Sir John Falstaff, but it seems that he is now entitled to the cognomen of "Foxy Grandpa" as well. [Laughter.] The truth of the business is that this resolution would not have been privileged for seven days. If it had been submitted by the minority leader from Mississippi it would not have been reported until the end of the seven days, and then only by reason of being privileged. But coming from the Speaker of the House, when it came to the committee, in less than five minutes after it was called to the attention of that committee to-day, upon the motion of the gentleman from Alabama [Mr. CLAYTON], a Democrat, every member of the committee voted in favor of its report. [Applause.] It was not the fact that it was a privileged resolution that so promptly brought it before this House, but because it was a meritorious resolution and should have been promptly reported to the House, as many other meritorious measures now pending should be reported. The impelling cause of its favorable report was not its privileged character, but the merit of the resolution itself. That is the point of vital concern here. Such are the simple facts, and no committee secrets are betrayed in stating them, and the country is entitled to know the truth. [Applause on the Democratic side.]

Mr. JENKINS. Mr. Speaker, I want to correct the statement of my colleague on the committee, the gentleman from Texas [Mr. HENRY], and I also want to correct a statement made by the gentleman from Mississippi [Mr. WILLIAMS] with reference to the time when this resolution was introduced. It was introduced more than three days ago. The time limit expires to-night, and to-morrow morning both these resolutions would be privileged in this House. I think that disposes of the statement that the committee was governed by reference to what the Speaker had said.

Now, I do not know where the gentleman from Mississippi gets his information as to what the Speaker had said to the committee, but I want simply to say to the gentleman from Mississippi and to the gentlemen on the floor of the House that as chairman of that committee, the Speaker never spoke to me, directly or indirectly, with reference to this matter. [Applause on the Republican side.] I want to say to my very just and able colleague on the committee, the gentleman from Texas, that he knows full well that this resolution followed the usual course in the committee. It was considered briefly a week ago and laid over until to-day. It followed the same course that every privileged resolution in that committee has always followed, that within the time limit it has always been reported out either favorably or unfavorably.

I ask for the adoption of the resolution.

The SPEAKER pro tempore [Mr. TAWNEY]. The question is on agreeing to the resolution.

Mr. CLAYTON. I hope there will be no demand for a division.

The resolution was agreed to.

#### INTERNATIONAL PAPER COMPANY, OF NEW YORK.

Mr. JENKINS. Mr. Speaker, by unanimous direction of the Committee on the Judiciary I respectfully report a privileged resolution.

The SPEAKER pro tempore. The gentleman from Wisconsin reports the following privileged resolution from the Committee on the Judiciary, which the Clerk will report.

The Clerk read as follows:

*Resolved*, That the Secretary of Commerce and Labor be directed, if not incompatible with the public service, to transmit to the House all papers and information which may be in possession of his Department relating to any steps which may have been taken by the Bureau of Corporations to make the "diligent investigation into the organization, conduct, and management of the business" of the International Paper Company, of New York, and other corporations, joint-stock companies, or combinations engaged in the manufacture of wood pulp or print paper or the sale thereof, as said Bureau of Corporations is authorized to do by law of the United States; and all papers and information in his Department which are the result of such investigation, if any such has been made.

Mr. JENKINS. Mr. Speaker, I ask for the adoption of the resolution.

The question was taken, and the resolution was agreed to.

Mr. SHACKLEFORD. Mr. Speaker, I desire to call up a privileged resolution.

#### ORDER OF BUSINESS.

Mr. DALZELL. Mr. Speaker, I submit another privileged report from the Committee on Rules.

The Clerk read as follows:

*Resolved*, That during the remainder of this session whenever a general appropriation bill shall have been reported favorably from the Committee of the Whole, it shall be in order to apply to it in the House a motion to suspend the rules under all the conditions prescribed in Rule XXVIII, except that the vote shall be majority instead of two-thirds.

Mr. DALZELL. Mr. Speaker, the purpose of this resolution, like the resolution that preceded it, is to expedite the public business and get rid of this senseless, childish obstruction. [Laughter on the Democratic side; applause on the Republican side.]

Mr. WILLIAMS. May I ask the gentleman not to debate the question before he calls for the previous question, because he will shut off the twenty minutes' debate and the right to respond to it on this side.

Mr. DALZELL. That is the very object of my speaking. [Laughter on the Republican side.]

Mr. WILLIAMS. Then, I move the previous question.

Mr. DALZELL. The gentleman from Mississippi has not the floor.

The SPEAKER. The gentleman from Pennsylvania has the floor.

Mr. DALZELL. The House will understand that when a general appropriation bill comes into the House reported from the Committee of the Whole, it is possible to have a roll call on the previous question, it is possible to have a roll call on the engrossment and third reading, upon the motion to recommit and upon its final passage; but that is not all; it is possible to have a roll call on every amendment reported to the House from the Committee of the Whole. So that, for instance, when we bring in the sundry civil bill and it is reported from the committee—comes into the House with fifty or sixty or seventy amendments—if the minority was allowed to carry on their childish antics, we would have fifty or seventy roll calls. The purpose of this resolution is to correct that.

Mr. MANN. Will the gentleman yield for a question?

Mr. DALZELL. I will.

Mr. MANN. The District of Columbia bill is a concrete illustration reported to the House with various amendments. Under this rule can a motion be made to concur, or will a motion be made to concur in the amendments?

Mr. DALZELL. A motion will be made to suspend the rules and agree to the amendments.

Mr. MANN. Concur in the amendments and pass the bill as amended?

Mr. DALZELL. Yes. Mr. Speaker, I ask for the previous question.

Mr. WILLIAMS. Before the gentleman asks for the previous question I would like to ask him a question. In the case cited by the gentleman from Illinois, if I understand the rule correctly, there will be no power on the part of the House to secure a separate vote on any particular amendment?

Mr. MANN. Certainly they can, by not agreeing to the motion.

Mr. WILLIAMS. Yes; by voting down the bill. I understand that unless we vote down the bill we can not get a separate vote on any amendment.

Mr. DALZELL. Yes; the gentleman understands it.

The SPEAKER. The question is on the demand for the previous question.

The question was taken, and on a division (demanded by Mr. WILLIAMS), there were—ayes 150, noes 128.

Mr. WILLIAMS. Mr. Speaker, I ask for tellers.

Mr. DALZELL. I make the point of order, Mr. Speaker, that that is dilatory.

The SPEAKER. The Chair will sustain the point of order.

Mr. WILLIAMS. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 146, nays 124, answered "present" 12, not voting 105, as follows:

## YEAS—146.

Alexander, N. Y.	Calder	Diekema	Gillett
Allen	Calderhead	Douglas	Goebel
Ames	Campbell	Dwight	Graft
Anthony	Capron	Ellis, Mo.	Graham
Barclay	Caulfield	Ellis, Oreg.	Haggett
Bartholdt	Chaney	Englebright	Hale
Bates	Chapman	Esch	Hamilton, Mich.
Bede	Cocks, N. Y.	Fassett	Harding
Bennet, N. Y.	Cole	Focht	Haskins
Birdsall	Cook, Colo.	Foss	Hawley
Bonyng	Cook, Pa.	Foster, Vt.	Henry, Conn.
Boyd	Crumpacker	Foulkrod	Higgins
Bradley	Cushman	Fowler	Hill, Conn.
Brownlow	Dalzell	French	Holliday
Burke	Davis, Minn.	Fuller	Howell, N. J.
Burleigh	Dawes	Gaines, W. Va.	Howell, Utah
Burton, Del.	Dawson	Gardner, Mich.	Howland
Butler	Denby	Gardner, N. J.	Hubbard, Iowa

Hubbard, W. Va.	McCall	Murdock	Sulloway
Huff	McGavin	Needham	Tawney
Humphrey, Wash.	McGuire	Norris	Taylor, Ohio
Jones, Wash.	McKinlay, Cal.	Nye	Thistlewood
Keifer	McKinley, Ill.	Olcott	Tirrell
Kennedy, Iowa	McLachlan, Cal.	Payne	Townsend
Kennedy, Ohio	McLaughlin, Mich.	Perkins	Volstead
Kinkaid	McMillan	Porter	Vreeland
Knowland	Madden	Pray	Waldo
Küstermann	Madison	Reeder	Wanger
Lafcan	Malby	Scott	Washburn
Landis	Mann	Sherman	Watson
Lanning	Marshall	Smith, Cal.	Weeks
Law	Miller	Smith, Iowa	Weems
Lawrence	Mondell	Smith, Mich.	Wilson, Ill.
Lindbergh	Moore, Pa.	Snapp	Wood
Littlefield	Moore, Pa.	Southwick	Young
Loud	Mouser	Steenerson	
Lowden	Mudd	Sturgiss	

## NAYS—124.

Adair	Dixon	Houston	Randell, Tex.
Adamson	Ellerbe	Hughes, N. J.	Ransdell, La.
Aiken	Favrot	Hull, Tenn.	Rauch
Alexander, Mo.	Ferris	Humphreys, Miss.	Reid
Ansberry	Fitzgerald	Johnson, Ky.	Richardson
Ashbrook	Flood	Jones, Va.	Riordan
Bartlett, Ga.	Floyd	Kelcher	Robinson
Bartlett, Nev.	Fornes	Kitchin, Wm. W.	Rothermel
Beall, Tex.	Fulton	Lamar, Mo.	Rucker
Bell, Ga.	Gaines, Tenn.	Lamb	Russell, Mo.
Boeber	Garner	Leake	Russell, Tex.
Bowers	Garrett	Lee	Ryan
Brodhead	Gill	Legare	Sabath
Brundidge	Gillespie	Lewis	Shackleford
Burgess	Godwin	Lindsay	Sheppard
Burleson	Goldfogle	Lloyd	Sherley
Burnett	Gordon	McHenry	Sherwood
Byrd	Goulden	McLain	Sims
Caldwell	Granger	Macon	Small
Candler	Hackett	Maynard	Smith, Tex.
Carlin	Hackney	Moore, Tenn.	Spight
Carter	Hamlin	Moore, Tex.	Stanley
Clark, Mo.	Hammond	Murphy	Stephens, Tex.
Clayton	Hardwick	Nicholls	Taylor, Ala.
Cockran	Hardy	O'Connell	Thomas, N. C.
Cooper, Tex.	Hay	Page	Tou Velle
Cox, Ind.	Heflin	Patterson	Underwood
Craig	Helm	Peters	Watkins
Crawford	Henry, Tex.	Pou	Webb
De Armond	Hill, Miss.	Pratt	Williams
Denver	Hobson	Rainey	Wilson, Pa.

## ANSWERED "PRESENT"—12.

Andrus	Griggs	James, Ollie M.	Knopf
Cary	Hamilton, Iowa	Jenkins	Prince
Foster, Ind.	Hull, Iowa	Kahn	Slayden

## NOT VOTING—105.

Acheson	Edwards, Ga.	Kitchin, Claude	Powers
Bannon	Edwards, Ky.	Knapp	Pujo
Barchfeld	Fairchild	Lamar, Fla.	Reynolds
Beale, Pa.	Finley	Langley	Rhinock
Bennett, Ky.	Fordney	Lassiter	Roberts
Bingham	Foster, Ill.	Lenahan	Rodenberg
Boutell	Gardner, Mass.	Lever	Saunders
Brantley	Gilham	Lilley	Slamp
Broussard	Glass	Livingston	Smith, Mo.
Brumm	Greene	Longworth	Sparkman
Burton, Ohio	Gregg	Lorimer	Sperry
Conner	Gronna	Loudenslager	Stafford
Cooper, Pa.	Hall	Lovering	Sterling
Cooper, Wis.	Hamill	McCreary	Stevens, Minn.
Coudrey	Harrison	McDemott	Sulzer
Cousins	Haugen	McKinney	Talbott
Cravens	Hayes	McMorran	Thomas, Ohio
Currier	Hepburn	Morse	Wallace
Darragh	Hinshaw	Nelson	Weisse
Davenport	Hitchcock	Olmsted	Wheeler
Davey, La.	Howard	Overstreet	Wiley
Davidson	Hughes, W. Va.	Padgett	Willitt
Draper	Jackson	Parker, N. J.	Wolf
Driscoll	James, Addison D.	Parker, S. Dak.	Woodyard
Dunwell	Johnson, S. C.	Parsons	
Durey	Kimball	Pearre	
	Kipp	Pollard	

So the previous question was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. LANGLEY with Mr. SULZER.

Mr. KAHN with Mr. CLAUDE KITCHIN.

Mr. HEPBURN with Mr. CRAVENS.

Mr. STERLING with Mr. HAMILL.

Mr. STEVENS of Minnesota with Mr. PUJO.

Mr. CONNER with Mr. LAMB.

The result of the vote was announced as above recorded.

Mr. SHACKLEFORD rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. SHACKLEFORD. I want to call up a privileged resolution.

The SPEAKER. But there is a privileged matter now under consideration. The question is on agreeing to the resolution.

The question was taken, and there were—ayes 140, noes 120.

Mr. WILLIAMS. Mr. Speaker, I call for tellers.

Mr. DALZELL. Mr. Speaker, I make the point of order that that is dilatory.

The SPEAKER. The Chair sustains the point of order.



Mr. WILLIAMS. Then, Mr. Speaker, I shall fall back upon the Constitution and call for the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 142, nays 118, answered "present" 12, not voting 115, as follows:

## YEAS—142.

Alexander, N. Y.	Douglas	Jones, Wash.	Overstreet
Allen	Dwight	Kelfer	Payne
Ames	Ellis, Mo.	Kennedy, Iowa	Perkins
Anthony	Englebright	Kennedy, Ohio	Porter
Barclay	Esch	Kinkaid	Pray
Bartholdt	Fassett	Knowland	Reeder
Bates	Focht	Küstermann	Scott
Bede	Foss	Lafean	Sherman
Bennet, N. Y.	Foster, Vt.	Landis	Smith, Cal.
Birdsall	Foulkrod	Lanning	Smith, Iowa
Bonyne	Fowler	Lawrence	Smith, Mich.
Boyd	French	Lindbergh	Snapp
Brownlow	Fuller	Littlefield	Southwick
Burke	Gaines, W. Va.	Lowden	Steenerson
Burleigh	Gardner, Mich.	McCall	Sterling
Burton, Del.	Gardner, N. J.	McGavin	Sturgiss
Butler	Goebel	McGuire	Sulloway
Calderhead	Graham	McKinley, Cal.	Tawney
Campbell	Haggott	McKinley, Ill.	Taylor, Ohio
Capron	Hale	McLachlan, Cal.	Thistlewood
Caulfield	Hammill	McLaughlin, Mich.	Thomas, Ohio
Chaney	Hamilton, Mich.	McMillan	Tirrell
Chapman	Haskins	Madden	Townsend
Cocks, N. Y.	Haugen	Madison	Ureland
Conner	Hawley	Malby	Waldo
Cook, Pa.	Henry, Conn.	Mann	Wanger
Crumpacker	Higgins	Marshall	Washburn
Cushman	Holliday	Miller	Watson
Dalzell	Howell, N. J.	Mondell	Weeks
Darragh	Howell, Utah	Moore, Pa.	Weems
Davidson	Hubbard	Mouser	Wilson, Ill.
Davis, Minn.	Hubbard, Iowa	Mudd	Wood
Dawes	Hubbard, W. Va.	Needham	Young
Dawson	Huff	Norris	
Denby	Humphrey, Wash.	Nye	
Diekema		Olcott	

## NAYS—118.

Adair	Dixon	Houston	Ransdell, La.
Adamson	Ellerbe	Hughes, N. J.	Rauch
Alken	Favrot	Hull, Tenn.	Reid
Alexander, Mo.	Ferris	Humphreys, Miss.	Richardson
Ansberry	Fitzgerald	Johnson, Ky.	Riordan
Ashbrook	Flood	Johnson, S. C.	Robinson
Bartlett, Ga.	Floyd	Jones, Va.	Rothermel
Bartlett, Nev.	Fornes	Kellher	Rucker
Beall, Tex.	Fulton	Kitchin, Wm. W.	Russell, Mo.
Bell, Ga.	Gaines, Tenn.	Lamar, Mo.	Russell, Tex.
Booher	Garner	Lamb	Ryan
Bowers	Garrett	Leake	Sabath
Brodhead	Gill	Lee	Shackleford
Brundidge	Gillespie	Lewis	Sheppard
Burgess	Godwin	Lindsay	Sherley
Burleson	Goldfogle	Lloyd	Sherwood
Burnett	Gordon	McHenry	Sims
Byrd	Goulden	McLain	Small
Caldwell	Granger	Macon	Smith, Tex.
Candler	Hackett	Moore, Tenn.	Spight
Carlin	Hackney	Moore, Tex.	Stephens, Tex.
Carter	Hamlin	Murphy	Thomas, N. C.
Clark, Mo.	Hammond	Nicholls	Tou Velle
Clayton	Hardwick	O'Connell	Underwood
Cooper, Tex.	Hardy	Page	Watkins
Cox, Ind.	Hay	Patterson	Webb
Craig	Heflin	Peters	Williams
Crawford	Helm	Pratt	Wilson, Pa.
De Armond	Henry, Tex.	Rainey	
Denver	Hill, Miss.	Randell, Tex.	

## ANSWERED "PRESENT"—12.

Andrus	Currier	Jenkins	Prince
Boutell	Hamilton, Iowa	Kahn	Roberts
Cary	James, Ollie M.	Knopf	Slayden

## NOT VOTING—115.

Acheson	Ellis, Oreg.	Kipp	Parker, S. Dak.
Bannon	Fairchild	Kitchin, Claude	Parsons
Barchfeld	Finley	Knapp	Pearre
Beale, Pa.	Fordney	Lamar, Fla.	Pollard
Bennett, Ky.	Foster, Ill.	Langley	Pou
Bingham	Foster, Ind.	Lassiter	Powers
Bradley	Gardner, Mass.	Law	Pujo
Broussard	Gilham	Legare	Reynolds
Brumm	Gillett	Lenahan	Rhinock
Burton, Ohio	Glass	Lever	Rodenberg
Calder	Greene	Lilly	Saunders
Clark, Fla.	Gregg	Livingston	Slemp
Cockran	Griggs	Longworth	Smith, Mo.
Cole	Gronna	Lorimer	Sparkman
Cook, Colo.	Hall	Loud	Sperry
Cooper, Pa.	Hammill	Loudenslager	Stafford
Cooper, Wis.	Harrison	Lovering	Stanley
Condrey	Hayes	McCreary	Stevens, Minn.
Cousins	Hepburn	McDermott	Sulzer
Cravens	Hill, Conn.	McKinney	Talbot
Davenport	Hinshaw	McMorran	Taylor, Ala.
Davey, La.	Hitchcock	Maynard	Wallace
Draper	Hobson	Moore, Pa.	Welshe
Driscoll	Howard	Morse	Wheeler
Dunwell	Hughes, W. Va.	Murdock	Wiley
Durey	Hull, Iowa	Nelson	Willett
Edwards, Ga.	Jackson	Olmsted	Wolf
Edwards, Ky.	James, Addison D.	Padgett	Woodyard
	Kimball	Parker, N. J.	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

For balance of day:

Mr. HUGHES of West Virginia with Mr. MAYNARD.

Until Friday:

Mr. GILLET with Mr. COCKRAN.

Until further notice:

Mr. ACHESON with Mr. TAYLOR of Alabama.

Mr. HINSHAW with Mr. HOBSON.

Mr. LAW with Mr. HAMILL.

Mr. MURDOCK with Mr. LEGARE.

Mr. NELSON with Mr. POU.

Mr. MORSE with Mr. STANLEY.

The result of the vote was announced as above reported.

## DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GARDNER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 20063) making appropriations for the District of Columbia as amended and reported from the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the bill, H. R. 20063, with amendments thereto as reported from the Committee of the Whole House on the state of the Union.

Mr. WILLIAMS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. I desire to ask whether or not there will be any opportunity for a separate vote upon any of the amendments.

The SPEAKER. There will not, under this motion. If a majority of the House votes for this motion it passes the District of Columbia appropriation bill with the amendments that were reported from the Committee of the Whole House on the state of the Union.

Mr. WILLIAMS. I agree with the Speaker; but I wanted it understood.

Mr. UNDERWOOD. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. UNDERWOOD. The gentleman has not moved the previous question, and I rose to ask recognition.

Mr. DALZELL. There is no previous question on a motion to suspend the rules.

The SPEAKER. Does the gentleman demand a division?

Mr. UNDERWOOD. Yes, sir.

The House divided and there were—ayes 141, nays 120.

Mr. FITZGERALD. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken, and there were—yeas 208, nays 44, answered "present" 17, not voting 118, as follows:

## YEAS—208.

Adair	Denby	Higgins	Mann
Adamson	Denver	Hitchcock	Marshall
Alken	Diekema	Hobson	Miller
Alexander, N. Y.	Douglas	Holliday	Moore, Pa.
Allen	Dwight	Howell, N. J.	Moon, Tenn.
Ames	Ellerbe	Hubbard, Iowa	Moore, Tex.
Anthony	Ellis, Mo.	Hubbard, W. Va.	Mouser
Ashbrook	Ellis, Oreg.	Huff	Murphy
Barclay	Englebright	Hull, Tenn.	Nelson
Bartholdt	Esch	Humphrey, Wash.	Nicholls
Bates	Fassett	Humphreys, Miss.	Norris
Bede	Ferris	Johnson, Ky.	Nye
Bell, Ga.	Fitzgerald	Johnson, S. C.	O'Connell
Bennet, N. Y.	Flood	Jones, Wash.	Olcott
Birdsall	Focht	Kelher	Parker, N. J.
Bonyne	Fornes	Kellher	Payne
Boyd	Foss	Kennedy, Iowa	Perkins
Brodhead	Foster, Vt.	Kennedy, Ohio	Porter
Brownlow	Foulkrod	Kinkaid	Pray
Burke	Fowler	Knowland	Rainey
Burleigh	French	Küstermann	Randell, Tex.
Burleson	Fuller	Lafean	Ransdell, La.
Butler	Gaines, Tenn.	Landis	Rauch
Calderhead	Gardner, Mich.	Lanning	Reeder
Campbell	Gardner, N. J.	Lawrence	Reid
Capron	Goebel	Leake	Richardson
Caulfield	Goldfogle	Lee	Riordan
Chaney	Gordon	Lindbergh	Robinson
Chapman	Graham	Lindsay	Rothermel
Clark, Mo.	Granger	Lloyd	Russell, Mo.
Clayton	Hackney	Loud	Ryan
Cocks, N. Y.	Haggott	Lowden	Scott
Cole	Hale	McCall	Sheppard
Conner	Hamilton, Mich.	McGavin	Sherley
Craig	Hammond	McGuire	Sherman
Crumpacker	Harding	McHenry	Sherwood
Cushman	Hardwick	McKinley, Cal.	Sims
Dalzell	Haskins	McKinley, Ill.	Smith, Cal.
Darragh	Hawley	McLachlan, Cal.	Smith, Iowa
Davidson	Hay	McLaughlin, Mich.	Smith, Mich.
Davis, Minn.	Heflin	McMillan	Snapp
Dawes	Henry, Conn.	Madden	Southwick
Dawson		Madison	Stanley
		Malby	Steenerson

Sturgiss  
Sulloway  
Tawney  
Taylor, Ohio  
Thistlewood  
Thomas, N. C.

Thomas, Ohio  
Tirrell  
Tou Velle  
Townsend  
Volstead  
Vreeland

Waldo  
Wanger  
Washburn  
Watkins  
Watson  
Weeks

Weems  
Williams  
Wilson, Ill.  
Wilson, Pa.  
Wood  
Young

#### NAYS—44.

Alexander, Mo.  
Ansberry  
Bartlett, Ga.  
Bartlett, Nev.  
Beall, Tex.  
Booher  
Bowers  
Brundidge  
Burgess  
Burnett  
Byrd

Candler  
Carter  
Cooper, Tex.  
Crawford  
De Armond  
Dixon  
Floyd  
Garner  
Godwin  
Hackett  
Hamlin

Hardy  
Helm  
Henry, Tex.  
Hill, Miss.  
Houston  
Jones, Va.  
Kitchin, Wm. W.  
Lamar, Mo.  
Lewis  
McLain  
Macon

Page  
Patterson  
Peters  
Pou  
Russell, Tex.  
Small  
Smith, Tex.  
Spight  
Stephens, Tex.  
Underwood  
Webb

#### ANSWERED "PRESENT"—17.

Andrus  
Boutell  
Caldwell  
Currier  
Foster, Ind.

Goulden  
Hamilton, Iowa  
Howard  
James, Ollie M.  
Jenkins

Kahn  
Knopf  
Prince  
Rucker  
Sabath

Shackleford  
Slayden

#### NOT VOTING—118.

Acheson  
Bannon  
Barchfield  
Beale, Pa.  
Bennett, Ky.  
Bingham  
Bradley  
Brantley  
Broussard  
Brumm  
Burton, Del.  
Burton, Ohio  
Calder  
Carlin  
Cary  
Clark, Fla.  
Cockran  
Cooper, Pa.  
Cooper, Wis.  
Coudrey  
Cousins  
Cravens  
Davenport  
Davey, La.  
Draper  
Driscoll  
Dunwell  
Durey  
Edwards, Ga.  
Edwards, Ky.

Fairchild  
Favrot  
Finley  
Fordney  
Foster, Ill.  
Gardner, Mass.  
Garrett  
Gilhams  
Gill  
Gillett  
Glass  
Greene  
Gregg  
Griggs  
Gronna  
Hall  
Hamill  
Harrison  
Haugen  
Hayes  
Hepburn  
Hill, Conn.  
Hinshaw  
Howell, Utah  
Hughes, W. Va.  
Hull, Iowa  
Jackson  
James, Addison D.  
Kimball  
Kipp

Kitchin, Claude  
Knapp  
Lamar, Fla.  
Lamb  
Langley  
Lassiter  
Law  
Legare  
Lenahan  
Lever  
Lilley  
Littlefield  
Livingston  
Longworth  
Lorimer  
Loudenslager  
Lovering  
McCreary  
McDermott  
McKinney  
McMorran  
Maynard  
Mondell  
Moore, Pa.  
Morse  
Mudd  
Olmsted  
Overstreet  
Padgett  
Parker, S. Dak.

Parsons  
Pearre  
Pollard  
Powers  
Pratt  
Pujo  
Reynolds  
Rhinoek  
Roberts  
Rosenberg  
Saunders  
Siemp  
Smith, Mo.  
Sparkman  
Sperry  
Stafford  
Sterling  
Stevens, Minn.  
Sulzer  
Talbot  
Taylor, Ala.  
Wallace  
Welise  
Wheeler  
Willey  
Willett  
Wolf  
Woodyard

So the motion was agreed to.

The Clerk announced the following additional pairs:

For this session:

Mr. BRADLEY with Mr. GOULDEN.

Until further notice:

Mr. POWERS with Mr. PRATT.

Mr. HINSHAW with Mr. SHACKLEFORD.

Mr. REYNOLDS with Mr. LEGARE.

Mr. LOUDENSLAGER with Mr. LAMB.

Mr. LORIMER with Mr. GARRETT.

Mr. CALDER with Mr. CARLIN.

For balance of this day:

Mr. MUDD with Mr. GILL.

The result of the vote was announced as above recorded.

#### SUBTREASURY AT ST. LOUIS, MO.

Mr. SHACKLEFORD. Mr. Speaker, I desire to call up the privileged resolution which I now send to the Clerk's desk and ask to have read.

The SPEAKER. The gentleman from Missouri [Mr. SHACKLEFORD] calls up the following privileged resolution which the Clerk will report.

Mr. PAYNE. Mr. Speaker, I make the point of order that you can not call up a resolution that has not been reported.

The SPEAKER. The Chair supposed it was reported.

Mr. WILLIAMS. What was the point of order?

The SPEAKER. Has the resolution been reported?

Mr. SHACKLEFORD. It has not. It has been introduced and it is a privileged resolution.

The SPEAKER. Then the gentleman moves to discharge the committee from its further consideration?

Mr. SHACKLEFORD. I do, sir; to discharge the committee from further consideration and take it up.

Mr. KEIFER. Has the period expired for the report?

The SPEAKER. The gentleman from Missouri [Mr. SHACKLEFORD] moves to discharge the committee from further consideration of the resolution which the Clerk will report.

The Clerk read as follows:

#### Resolution 248.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish to the House of Representatives the following information, if not incompatible with the public interest:

First. Such information, facts, and documents as the investigation

by his Department has ascertained or procured as to whether during the year 1906 there was discovered a shortage in the cash, coin, or currency in the subtreasury at St. Louis, Mo., and, if so, what was the amount of such shortage.

Second. Such information, facts, and documents as the investigation by his Department has ascertained or procured as to whether Hon. Thomas J. Akins, assistant United States treasurer in charge of said subtreasury, had given his personal attention to the supervision of said subtreasury, and also the number of days he was absent from said subtreasury during the year 1906 prior to the 1st day of November.

Third. Such information, facts, and documents as the investigation by his Department has ascertained or procured as to whether or not during the year 1906 the said Thomas J. Akins, D. P. Dyer, jr., or M. B. Ferguson had been engaged in speculating in stocks, bonds, grain, cotton, or other commodities, and if so, whether they sustained losses.

Fourth. Whether or not said Secretary of the Treasury has directed action to be commenced on behalf of the Government to recover the amount of such shortage, if any.

Mr. PAYNE. Mr. Speaker, I move to lay the motion on the table.

The SPEAKER. What motion does the gentleman make?

Mr. SHACKLEFORD. He can not make that motion; I have the floor.

The SPEAKER. The Chair recognizes that the motion to lay on the table takes precedence.

Mr. SHACKLEFORD. Well, but the gentleman has not the floor to make the motion.

Mr. PAYNE. It is a privileged motion, you know.

Mr. SHACKLEFORD. A privileged motion is no good when another Member has the floor.

Mr. PAYNE. That is just how you have gotten the floor.

Mr. SHACKLEFORD. And having gotten the floor, I have a right to be heard on it. Let the gentleman make his motion in his own time.

The SPEAKER. The Chair is of the impression that the motion to lay on the table takes precedence, even extending to the recognition that is given to the gentleman. The Chair has verified his recollection. Under the rule a motion to discharge the committee is not debatable, and a motion to lay on the table takes precedence. Neither motion is debatable, so far as that is concerned.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. SHACKLEFORD. Division, Mr. Speaker.

The House divided, and there were—ayes 138, noes 123.

Mr. SHACKLEFORD. I ask for tellers.

Mr. PAYNE. I make the point of order that that is dilatory.

Mr. SHACKLEFORD. Then, I will ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 126, nays 123, answered "present" 8, not voting 130, as follows:

#### YEAS—126.

Alexander, N. Y.	Denby	Hubbard, Iowa	Parker, N. J.
Allen	Diekema	Hubbard, W. Va.	Payne
Ames	Douglas	Huff	Perkins
Andrus	Dwight	Humphrey, Wash.	Porter
Barclay	Englebright	Jones, Wash.	Pray
Bartholdt	Esch	Keifer	Reeder
Bates	Fassett	Kennedy, Iowa	Scott
Bennet, N. Y.	Focht	Kinkaid	Sherman
Birdsall	Foss	Knowland	Smith, Cal.
Bonyne	Foster, Vt.	Lafane	Smith, Mich.
Brownlow	Foulkrod	Landis	Snapp
Burke	Fowler	Lanling	Southwick
Burleigh	French	Lilley	Steenerson
Burton, Del.	Fuller	Lowden	Sterling
Butler	Gainey, W. Va.	McGuire	Sulloway
Calderhead	Gardner, Mich.	McKinlay, Cal.	Tawney
Capron	Gardner, N. J.	McLachlan, Cal.	Taylor, Ohio
Caulfield	Goebel	McMillan	Thistlewood
Chaney	Graham	Madden	Thomas, Ohio.
Chapman	Haggott	Malby	Tirrell
Cocks, N. Y.	Hale	Mann	Volstead
Cole	Hamilton, Mich.	Marshall	Vreeland
Conner	Harding	Miller	Waldo
Cook, Pa.	Haskins	Mondell	Wanger
Crumpacker	Haugen	Moon, Pa.	Washburn
Cushman	Hawley	Mouser	Watson
Dalzell	Henry, Conn.	Needham	Weeks
Darragh	Higgins	Nelson	Wilson, Ill.
Davidson	Hill, Conn.	Norris	Wood
Davis, Minn.	Holliday	Nye	Young
Dawes	Howell, N. J.	Olcott	
Dawson	Howland	Overstreet	

#### NAYS—123.

Adair	Bowers	Clayton	Fornes
Adamson	Brodhead	Cooper, Tex.	Fulton
Aiken	Brundidge	Cox, Ind.	Gaines, Tenn.
Alexander, Mo.	Burgess	Craig	Garner
Ansberry	Burleson	De Armond	Gillespie
Anthony	Burnett	Denver	Godwin
Ashbrook	Byrd	Dixon	Goldfogle
Bartlett, Ga.	Caldwell	Ellerbe	Gordon
Bartlett, Nev.	Campbell	Ferris	Graft
Beall, Tex.	Candler	Fitzgerald	Granger
Bell, Ga.	Carter	Flood	Hackett
Booher	Clark, Mo.	Floyd	



Hackney	Kellher	Nicholls	Shackelford
Hamlin	Küstermann	O'Connell	Sheppard
Hammond	Lamar, Mo.	Page	Sherley
Hardwick	Leake	Patterson	Sherwood
Hardy	Lee	Peters	Sims
Hay	Legare	Pou	Small
Hedlin	Lindbergh	Rainey	Smith, Tex.
Helm	Lindsay	Randell, Tex.	Spight
Henry, Tex.	Lloyd	Ransdell, La.	Stanley
Hill, Miss.	McGavin	Rauch	Stephens, Tex.
Hitchcock	McHenry	Reld	Taylor, Ala.
Hobson	McKinley, Ill.	Richardson	Thomas, N. C.
Houston	McLain	Riordan	Tou Velle
Hughes, N. J.	Macon	Robinson	Underwood
Hull, Tenn.	Madison	Rothermel	Watkins
Humphreys, Miss.	Moon, Tenn.	Rucker	Webb
Johnson, Ky.	Moore, Tex.	Russell, Mo.	Williams
Johnson, S. C.	Murdock	Ryan	Wilson, Pa.
Jones, Va.	Murphy	Sabath	

## ANSWERED "PRESENT"—8.

Currier	Goulden	Kahn	Prince
Foster, Ind.	Jenkins	Knopf	Slayden

## NOT VOTING—130.

Acheson	Edwards, Ky.	Kipp	Parsons
Bannon	Ellis, Mo.	Kitchin, Claude.	Pearre
Barchfeld	Ellis, Oreg.	Kitchin, Wm. W.	Pollard
Beale, Pa.	Fairchild	Knapp	Powers
Bede	Favrot	Lamar, Fla.	Pratt
Bennett, Ky.	Finley	Lamb	Pujo
Bingham	Fordney	Langley	Reynolds
Boutell	Foster, Ill.	Lassiter	Rhinock
Boyd	Gardner, Mass.	Law	Roberts
Bradley	Gilham	Lawrence	Rodenberg
Brantley	Gill	Lenahan	Russell, Tex.
Broussard	Gillet	Lever	Saunders
Brumm	Glass	Lewis	Slomp
Burton, Ohio	Greene	Littlefield	Smith, Iowa
Calder	Gregg	Livingston	Smith, Mo.
Carlin	Griggs	Longworth	Sparkman
Cary	Gronna	Lorimer	Sperry
Clark, Fla.	Hall	Loud	Stafford
Cockran	Hamill	Loudenslager	Stevens, Minn.
Cook, Colo.	Hamilton, Iowa	Lovering	Sturgiss
Cooper, Pa.	Harrison	McCall	Sulzer
Cooper, Wis.	Hayes	McCreary	Talbott
Coudrey	Hepburn	McDermott	Townsend
Consins	Hinshaw	McKinney	Wallace
Cravens	Howard	McLaughlin, Mich.	Weems
Crawford	Howell, Utah	McMorran	Welss
Davenport	Hughes, W. Va.	Maynard	Wheeler
Davey, La.	Hull, Iowa	Moore, Pa.	Wiley
Draper	Jackson	Morse	Willett
Driscoll	James, Addison D.	Mudd	Wolf
Dunwell	James, Ollie M.	Olmsted	Woodyard
Durey	Kennedy, Ohio	Padgett	
Edwards, Ga.	Kimball	Parker, S. Dak.	

The following additional pairs were announced:

On this vote:

Mr. LAWRENCE with Mr. RUSSELL of Texas.

Mr. HAYS with Mr. FAVROT.

Mr. FORDNEY with Mr. CRAWFORD.

The SPEAKER. On this question the yeas are 126, the nays 123, present 8. The ayes have it, and the motion prevails.

Mr. WILLIAMS. Mr. Speaker, that seems to be a very close vote. I ask for a recapitulation of the vote.

The SPEAKER. It is a close vote. The gentleman asks that there be a recapitulation. The Clerk will recapitulate the vote.

The vote in the affirmative was recapitulated.

Mr. SHACKLEFORD. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. SHACKLEFORD. I want to ask if I may at this time call attention to errors in the announcement of those who voted in the affirmative. I desire to challenge the accuracy of that vote.

The SPEAKER. It appears to the Chair after the recapitulation is completed corrections can be made.

Mr. SHACKLEFORD. Very well.

The Clerk resumed and concluded the recapitulation of the vote.

Mr. SHACKLEFORD. Mr. Speaker, I desire to know how the gentleman from Missouri [Mr. BARTHOLOTT] is recorded?

The SPEAKER. In the affirmative.

Mr. SHACKLEFORD. I make the point of order that he was not present. I also ask how the gentleman from Kansas [Mr. CALDERHEAD] is recorded?

The SPEAKER. In the affirmative.

Mr. SHACKLEFORD. I make the point of order that the gentleman was not present when his name was called, either on the first or second roll call.

The SPEAKER. The Chair will hear from the gentleman from Kansas [Mr. CALDERHEAD] on that.

Mr. CALDERHEAD. They told me I was not present at the first roll call. I was in the corridor, and came in when the second roll call was made. The Clerk may have misunderstood me, but I intended to vote aye.

Mr. SHACKLEFORD. The gentleman is recorded aye, but I understood he was not present.

The SPEAKER. The gentleman did vote aye, did he?

Mr. CALDERHEAD. I think so.

Mr. FITZGERALD. Mr. Speaker, the gentleman must make a positive statement as to whether he answered or not, when his name was called, under the rules of the House.

The SPEAKER. The testimony at the desk is that the gentleman voted.

Mr. CALDERHEAD. I voted "aye."

Mr. SHACKLEFORD. Then how about the gentleman from Missouri [Mr. BARTHOLOTT]?

The SPEAKER. One moment—

Mr. GAINES of Tennessee. Mr. Speaker, I make the point of order that everybody should sit down. It is impossible to hear what is being said.

The SPEAKER. The gentleman from Tennessee makes the point of order that everybody should sit down. The Chair sustains the point of order.

Mr. WILLIAMS. I have risen for the purpose of making an inquiry. I wish to ask how the gentleman from Mississippi [Mr. BOWERS] is recorded.

The SPEAKER. In the negative.

Mr. SHACKLEFORD. Now I make the point of order that the gentleman from Missouri [Mr. BARTHOLOTT] was not present at either roll call.

The SPEAKER. Is the gentleman from Missouri [Mr. BARTHOLOTT] present? Does any gentleman remember seeing him or hearing him vote?

Mr. WALDO. I saw the gentleman from Missouri [Mr. BARTHOLOTT] here only a short time ago. I can not say that I heard him vote.

The SPEAKER. Did the gentleman see him during the roll call?

Mr. WALDO. I can not say as to that. I saw him here within a few minutes.

The SPEAKER. Does the gentleman from Missouri [Mr. SHACKLEFORD] state that the gentleman [Mr. BARTHOLOTT] was not present?

Mr. SHACKLEFORD. I am informed by those who were keeping some eye on that side that the gentleman from Missouri [Mr. BARTHOLOTT] was not present during the roll call.

The SPEAKER. That statement is on information and not the gentleman's personal knowledge.

Mr. SHACKLEFORD. I have not kept him under my eye, Mr. Speaker.

Mr. COLE. Mr. Speaker, I saw the gentleman from Missouri [Mr. BARTHOLOTT] pass out of this door only a short time ago, and the best of my judgment is that it was after the roll call had begun.

The SPEAKER. His name ought not to be recorded if he did not vote, but the Chair is reluctant to order the name stricken from the roll unless some gentleman makes a positive statement on the subject.

Mr. FRENCH. Mr. Speaker, the clerk at the cloakroom advises me that the gentleman from Missouri [Mr. BARTHOLOTT] did vote, and that he then, after voting, remarked that he would now take his hat and coat and go.

The SPEAKER. Who makes that statement?

Mr. FRENCH. The attendant at the cloakroom.

Mr. HAMLIN. In relation to that matter I have this distinct recollection, that the name of the gentleman from Missouri [Mr. BARTHOLOTT] was called on the second roll call. I did not notice when the roll was first called, but on the second call his name was called, and, knowing his friendship for Mr. Akins, I listened for his vote, but did not hear him vote. Neither did I see him in the hall. That was on the second roll call. He may have voted on the first call, I do not know.

The SPEAKER. The Chair is informed at the desk that the gentleman was recorded on the first call. With this conflict between the affirmative and negative, and what seems to be hearsay from the Doorkeeper, the Chair does not feel authorized to cause the name to be stricken from the roll. On this vote the ayes are 126, the noes 123. The ayes have it, and the motion prevails.

## LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted:

To Mr. PEARRE, for three days, on account of important business.

To Mr. WILEY (at the request of Mr. CLAYTON), indefinitely, on account of sickness.

## EULOGIES ON THE LATE REPRESENTATIVE MEYER.

Mr. RANDELL of Louisiana. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution which I send to the Clerk's desk.

The Clerk read as follows:

*Resolved*, That the House of Representatives shall meet at 2 o'clock p. m., on Sunday, May 10, 1908, for the purpose of having eulogies on the life, character, and public services of the Hon. ADOLPH MEYER, late a Representative in Congress from the First District of Louisiana.

The resolution was agreed to.

#### CHANGE OF REFERENCE.

By unanimous consent the reference of the bill S. 3722, to amend section 3 of the act entitled "An act providing for second and additional homestead entries, and for other purposes," approved April 28, 1904, was changed from the Committee on Claims to the Committee on the Public Lands.

Mr. GOLDFOGLE. Mr. Speaker, I failed to hear the title of the bill which was just sent to the Committee on Claims.

The SPEAKER. The Clerk will report the title to the bill.

The Clerk read as follows:

S. 3722, to amend section 3 of the act entitled "An act providing for second and additional homestead entries, and for other purposes," approved April 28, 1904.

Mr. GOLDFOGLE. How does it go to the Committee on Claims?

The SPEAKER. The Chair does not know.

Mr. GOLDFOGLE. The Committee on Claims has hundreds of bills before it now and does not appear to be reporting any, and I am loath to have any more bills sent to that committee.

The SPEAKER. The bill is taken from the Committee on Claims and sent to the Committee on the Public Lands; it is relieving the Committee on Claims of the bill.

#### RECESS.

The SPEAKER. The hour of 5 o'clock having arrived, in pursuance of the resolution already adopted the Chair declares the House in recess until to-morrow at 11.30 a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Acting Secretary of War submitting an estimate of appropriation for salaries of employees, public buildings and grounds (H. Doc. 855)—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the General Superintendent of the Life-Saving Service submitting an estimate of appropriation for carrying out the provisions of the act to increase the efficiency of the personnel of the Life-Saving Service (H. Doc. 854)—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk and referred to the several Calendars therein named, as follows:

Mr. OLCOTT, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 12899) to provide for a disbursing officer for the Government Hospital for the Insane, reported the same without amendment, accompanied by a report (No. 1401), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 19087) to authorize the Secretary of War to furnish two condemned cannon to the Elgin Academy, Elgin, Ill., reported the same without amendment, accompanied by a report (No. 1402), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 20348) to authorize the Secretary of War to furnish two condemned brass or bronze cannon, with their carriages and a suitable outfit of balls, to the city of San Antonio, Tex., reported the same without amendment, accompanied by a report (No. 1403), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ROBERTS, from the Committee on Naval Affairs, to

which was referred the bill of the House (H. R. 8615) to correct the naval record of Edward T. Lincoln, reported the same with amendment, accompanied by a report (No. 1399), which said bill and report were referred to the Private Calendar.

Mr. BENNETT of Kentucky, from the Committee on Pensions, to which was referred the bill of the House (H. R. 20482) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 1407), which said bill and report were referred to the Private Calendar.

Mr. MOUSER, from the Committee on Claims, to which was referred the bill of the House (H. R. 8982) for the relief of David W. Stockstill, reported the same without amendment, accompanied by a report (No. 1409), which said bill and report were referred to the Private Calendar.

Mr. PATTERSON, from the Committee on Claims, to which was referred the bill of the House (H. R. 10187) for the relief of R. A. Sisson, reported the same without amendment, accompanied by a report (No. 1410), which said bill and report were referred to the Private Calendar.

Mr. ADAIR, from the Committee on Claims, to which was referred the bill of the House (H. R. 17960) for the relief of Marcellus Butler, reported the same without amendment, accompanied by a report (No. 1411), which said bill and report were referred to the Private Calendar.

Mr. HOWELL of Utah, from the Committee on Claims, to which was referred the bill of the House (H. R. 19653) for the relief of T. C. Wakefield, reported the same without amendment, accompanied by a report (No. 1412), which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. BURKE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 15018) to restore Second Lieut. Winslow Hart Reaves to the rank and pay of a lieutenant and retire him for physical disability, reported the same adversely, accompanied by a report (No. 1400), which said bill and report were laid on the table.

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9339) for the relief of William H. Sloan, reported the same adversely, accompanied by a report (No. 1404), which said bill and report were laid on the table.

Mr. PARKER of New Jersey, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 18637) to authorize the appointment of Sergt. John Mahnkin Hall as a second lieutenant on the retired list of the Army, reported the same adversely, accompanied by a report (No. 1413), which said bill and report were laid on the table.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles, which were thereupon referred as follows:

A bill (H. R. 16823) granting an increase of pension to Benjamin F. Horn—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 17097) granting a pension to Christopher Alonzo De Hart—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18232) granting an increase of pension to Enoch Wimberly—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 18401) granting a pension to Lorenzo D. Buttram—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FOSS, from the Committee on Naval Affairs: A bill (H. R. 20471) making appropriations for the naval service for the fiscal year ending June 30, 1909, and for other purposes—to the Union Calendar.

By Mr. MARSHALL: A bill (H. R. 20472) for preventing the manufacture, sale, or transportation of adulterated or unlabeled paint, turpentine, or linseed oil—to the Committee on Interstate and Foreign Commerce.



By Mr. JENKINS: A bill (H. R. 20473) to amend chapter 3914, approved June 30, 1906—to the Committee on the Judiciary.

By Mr. SCOTT: A bill (H. R. 20474) to promote the safety of passengers and employees upon railroads engaged in interstate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. FLOYD: A bill (H. R. 20475) to amend section 2 of an act entitled "An act to regulate the practice in civil and criminal cases in the western district of Arkansas"—to the Committee on the Judiciary.

By Mr. SMITH of Michigan: A bill (H. R. 20476) to amend an act entitled "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances"—to the Committee on the District of Columbia.

By Mr. HUMPHREY of Washington: A bill (H. R. 20477) authorizing the President to appoint a commissioner to supervise the erection of monuments and markers and locate the general route of the Oregon Trail—to the Committee on the Library.

By Mr. AIKEN: A bill (H. R. 20478) authorizing the building of a dam across the Savannah River at Cherokee Shoals—to the Committee on Interstate and Foreign Commerce.

By Mr. LEWIS (by request): A bill (H. R. 20479) to provide a scientific money system—to the Committee on Ways and Means.

By Mr. BIRDSALL: A bill (H. R. 20480) providing for the erection of a public building at Iowa Falls, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. COOK of Pennsylvania: A bill (H. R. 20481) to place upon the list of the retired officers of the Army the names of the surviving officers of the First Corps, United States Veteran Volunteers (Hancock's Corps)—to the Committee on Military Affairs.

By Mr. BENNETT of Kentucky, from the Committee on Pensions: A bill (H. R. 20482) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors—to the Private Calendar.

By Mr. SHEPPARD: A bill (H. R. 20483) making an additional appropriation for a Federal building at Texarkana, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. GAINES of Tennessee: A bill (H. R. 20513) concerning the growers of and the sale of tobacco—to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 20484) granting an increase of pension to Levi Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20485) granting an increase of pension to Thomas W. Blunt—to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 20486) granting an increase of pension to Michael Agee—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 20487) granting a pension to William H. Whiteside—to the Committee on Pensions.

By Mr. CARLIN: A bill (H. R. 20488) granting a pension to H. T. C. Hough—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 20489) granting an increase of pension to Frederick Hortin—to the Committee on Invalid Pensions.

By Mr. DAWSON: A bill (H. R. 20490) granting an increase of pension to Miner E. Fish—to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 20491) granting an increase of pension to Jesse Heaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20492) granting a pension to John Belk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20493) granting a pension to Celestine Marquis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20494) granting an increase of pension to William Muster—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 20495) to place the name of Solomon P. Brockway on the retired list of the Army—to the Committee on Military Affairs.

By Mr. GARDNER of New Jersey: A bill (H. R. 20496) granting an increase of pension to Charles McDavitt—to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 20497) granting a pension to Cleopatra Henshaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20498) granting a pension to Robert G. Tindle—to the Committee on Invalid Pensions.

By Mr. HAMMOND: A bill (H. R. 20499) granting a pension to Otto Gimm—to the Committee on Pensions.

By Mr. HARDWICK: A bill (H. R. 20500) granting a pension to Martin F. Purcell—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: A bill (H. R. 20501) for the relief of Allen V. Reed—to the Committee on Naval Affairs.

By Mr. HOWELL of New Jersey: A bill (H. R. 20502) granting a pension to Jessey Cooper—to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 20503) granting an increase of pension to Henry Birdsong—to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 20504) to correct the military record of J. H. Lewis—to the Committee on Military Affairs.

By Mr. WILLIAMS: A bill (H. R. 20505) for the relief of the estate of Francis A. Owen, deceased—to the Committee on War Claims.

By Mr. COLE: A bill (H. R. 20506) granting an increase of pension to Milton J. Koogle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20507) granting an increase of pension to George P. Conyers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20508) granting an increase of pension to Matilda Mixon—to the Committee on Invalid Pensions.

By Mr. DENBY: A bill (H. R. 20509) granting a pension to George W. Derby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20510) granting a pension to Thomas Dolan—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 20511) granting an increase of pension to Sarah A. Coons—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 20512) for the relief of H. M. Burd—to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of Pittsburg Association of Credit Men, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. ASHBROOK: Paper to accompany bill for relief of David Wills—to the Committee on Pensions.

By Mr. BATES: Petition of Brehm Brothers, of Erie, Pa., against the Currier copyright bill (H. R. 243)—to the Committee on Patents.

Also, petition of St. Joseph's Branch, No. 25, of Polish Roman Catholic Union of the United States, against legislation providing for an educational test, certificate of character, and money-in-the-pocket feature, as outlined in the Latimer or Gardner bills—to the Committee on Immigration and Naturalization.

Also, petition of Union Veterans' Legion Encampment, of Fort Wayne, for appropriation of \$200,000 to assist in building an armory building at Fort Wayne, Ind.—to the Committee on Appropriations.

Also, petition of H. W. Canfield, of Cambridge Springs, Pa., favoring S. 5122, for rural-delivery parcels post on rural-delivery routes—to the Committee on the Post-Office and Post-Roads.

Also, petition of Erie City Iron Works and Philadelphia Board of Trade, against the Hepburn amendment to Sherman antitrust law (H. R. 17290)—to the Committee on the Judiciary.

Also, petition of Cigar Makers' Union No. 107, of Erie, Pa., against H. R. 40, to prevent sale of intoxicating liquors in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of National Association of Credit Men of Pittsburg, Pa., against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of C. A. Woolsey, for the Fort Wayne Electric Works, of Philadelphia, for forest reservations in White Mountains and Southern Appalachian Mountains (H. R. 10457)—to the Committee on Agriculture.

Also, petition of Link Belt Company, of Philadelphia, against H. R. 19745 (Hepburn amendment to the Sherman antitrust act)—to the Committee on the Judiciary.

Also, petition of Mrs. Samuel Simple, for the Woman's Club of Titusville, Pa., for H. R. 7554, for creation of Calaveras Big Tree National Forest—to the Committee on Agriculture.

Also, petition of Journeyman-Barbers' Union No. 149, of Erie, Pa., against prohibition law for the District of Columbia (H. R. 40)—to the Committee on the District of Columbia.

By Mr. BONYNGE: Petition of Timothy Hawkins and others, for a national highways commission and Federal aid in construction of highways (H. R. 15837)—to the Committee on Agriculture.

Also, paper to accompany bill for relief of Samuel Charles Hampton—to the Committee on Naval Affairs.

By Mr. BURKE: Petition of Group 8, Pennsylvania Bankers' Association, and First National Bank of Pittsburgh, favoring the Dalzell bill (H. R. 6001) to amend national banking laws—to the Committee on the Judiciary.

Also, petition of Corn Exchange National Bank, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Consumers' League of Philadelphia, for favorable consideration of S. 4812 (regulating child labor in the District of Columbia)—to the Committee on the District of Columbia.

Also, petition of National Association of Manufacturers and Link Belt Company, against Hepburn amendment to the Sherman antitrust act (H. R. 19745)—to the Committee on the Judiciary.

Also, petition of Building and Loan Federation of Western Pennsylvania, for amendment of H. R. 18525 so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of citizens of Lamoine, Me., favoring a national highways commissioner and appropriation for Federal aid in construction and improvement of highways (H. R. 15837)—to the Committee on Agriculture.

By Mr. CAPRON: Petition of William Orr Literary Association, of Rhode Island, protesting against a ratification of a treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, petition of Rhode Island League for Rural Progress, in favor of H. R. 18204, for agricultural and industrial education—to the Committee on Agriculture.

Also, petition of Rhode Island League for Rural Progress, in favor of H. R. 15837, for a national highways commission and appropriation giving Federal aid to construction and maintenance of public highways—to the Committee on Agriculture.

Also, petition of Pawtucket (R. I.) Typographical Union, against prohibition in the District of Columbia (H. R. 40)—to the Committee on the District of Columbia.

Also, petition of Rhode Island Woman's Suffrage Association, against increasing the number of battle ships—to the Committee on Naval Affairs.

Also, petition of Merchant's Association of Pawtucket, R. I., for appropriation for the defense of Narragansett Bay—to the Committee on Appropriations.

Also, petition of citizens of Westerly, R. I., against H. R. 4897, providing for religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of sundry church congregations of the Woman's Christian Temperance Union of Rhode Island, favoring passage of the Sims bill for prohibition in the District of Columbia (H. R. 40)—to the Committee on the District of Columbia.

Also, petition of Rhode Island League of Rural Progress, for a rural parcels post as per S. 5122—to the Committee on the Post-Office and Post-Roads.

By Mr. COX of Indiana: Paper to accompany bill for relief of James W. Jacobs—to the Committee on War Claims.

By Mr. DIXON: Petition of National Association of Clothiers, against the Aldrich currency bill (S. 3023) and in favor of the Fowler bill—to the Committee on Banking and Currency.

Also, petition of J. C. Hall and 40 other citizens of Fourth Congressional District, for a national highways commission and for Federal aid in road construction (H. R. 15837)—to the Committee on Agriculture.

Also, petition of Alfred H. Pitkin and 38 other citizens of Columbus, Ind., favoring H. R. 40, for prohibition in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of 40 soldiers of Jackson County, Ind., and 40 soldiers of Ripley County, Ind., for the Sherwood pension bill—to the Committee on Invalid Pensions.

By Mr. FLOOD: Petition of citizens of Clifton Forge, Va., against enactment of S. 1518, revising section 3893 of Revised Statutes of United States—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill for relief of David R. Jami-son—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Patrick C. Flaherty—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of Peleg R. Walker, for the Fuller bill (H. R. 19250) to create a volunteer officers' retired list—to the Committee on Military Affairs.

Also, petition of First National Bank of Morris, Ill., Farmers and Merchants' National Bank, and Grundy County National Bank, against sections 8 and 11 of the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. GOULDEN: Petition of Merchants' Association of New York, against passage of any bill changing the present statutes relative to injunctions and restraining orders—to the Committee on the Judiciary.

By Mr. GRAHAM: Petition of Corn Exchange National Bank, of Philadelphia, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of Consumers' League of Philadelphia, for S. 4812, for regulation of child labor in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Asiatic Exclusion League of North America, against any amendment or treaty provision to extend right of naturalization, etc.—to the Committee on Immigration and Naturalization.

Also, petitions of National Association of Manufacturers of United States and Link Belt Company, against the Hepburn bill, amending Sherman antitrust act (H. R. 19745)—to the Committee on Interstate and Foreign Commerce.

Also, petition of Building and Loan Federation of Western Pennsylvania, for amendment of H. R. 18525 (Hepburn bill), so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

By Mr. HAWLEY: Paper to accompany bill for relief of Enoch Wimberly (H. R. 18232)—to the Committee on Pensions.

By Mr. HILL of Connecticut: Petition of Pomona Grange, No. 16, of Bridgewater, Conn., for S. 5122 (establishment of a rural parcels post)—to the Committee on the Post-Office and Post-Roads.

Also, petition of Central Labor Union of Hartford, Conn., favoring H. R. 10556, for alleviating sufferings incident to accidents in coal mines (McHenry bill)—to the Committee on Mines and Mining.

By Mr. HUFF: Petition of National Guard Association of Pennsylvania, against wearing of the uniform of the regular and the volunteer soldier of the United States by unauthorized persons—to the Committee on Military Affairs.

Also, petition of Link Belt Company, against H. R. 19745 (the Hepburn amendment to the Sherman antitrust law)—to the Committee on the Judiciary.

By Mr. LINDSAY: Petition of Chamber of Commerce of city of Richmond, against the Aldrich currency bill (S. 3023) and favoring the Fowler bill (H. R. 12677)—to the Committee on Banking and Currency.

Also, petition of the Union Veteran Legion Encampment and citizens of Fort Wayne, for an appropriation of \$200,000 for an armory building on site of old fort built by Gen. Anthony Wayne—to the Committee on Appropriations.

Also, petition of Association for the Protection of the Adirondacks, favoring H. R. 10457 (for forest reservations in White Mountains and Southern Appalachian Mountains)—to the Committee on Agriculture.

Also, petition of Home Savings Bank of Brooklyn, N. Y., against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, paper to accompany bill for relief of James Perrin, jr.—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Petitions of Chelsea Grange, No. 215, and Fryeburg Grange, No. 297, praying for the creation of a national highways commission (H. R. 15837)—to the Committee on Agriculture.

By Mr. LIVINGSTON: Paper to accompany bill for relief of heirs of John C. Lee—to the Committee on War Claims.

By Mr. LOUD: Petitions of Fiske Grange, No. 790, Patrons of Husbandry, and Coleman Grange, of Coleman, Mich., for national highways commission and Federal aid in construction of public roads (H. R. 15837)—to the Committee on Agriculture.

By Mr. McCALL: Petition of Appalachian Club, against H. R. 16086 and H. R. 16784, relative to impairing the beauties of Niagara Falls—to the Committee on Agriculture.

By Mr. McMILLAN: Petition of L. S. Silliman and others, for highway improvement (H. R. 15837)—to the Committee on Agriculture.

By Mr. MARSHALL: Petitions of Commercial Club of Westhope; citizens of Fairmount, Richland County; citizens of Aneta; citizens of Oriska; and Frank C. Baska and others, all of the State of North Dakota, protesting against passage of



parcels-post bill (H. R. 255)—to the Committee on the Post-Office and Post-Roads.

By Mr. O'CONNELL: Petition of New England Shoe and Leather Association, favoring the present bankruptcy act—to the Committee on the Judiciary.

By Mr. OVERSTREET: Petition of George W. Lancaster, of Indianapolis, Ind., for a volunteer officers' retired list (H. R. 19250)—to the Committee on Military Affairs.

Also, petition of Manufacturing Perfumers' Association, against section 218 of Annual Code (S. 2982), relative to exclusion from the mails of certain liquids if carried in glass—to the Committee on Revision of the Laws.

Also, petition of Alma Pattman, for the enactment of H. R. 17295, to aid the Lincoln Farm Association of New York to build and endow a national memorial to Abraham Lincoln on the site of the Lincoln birthplace farm in Kentucky—to the Committee on Appropriations.

Also, petition of W. B. Westlake, urging passage of the Stevens bill, placing print paper and wood pulp on the free list—to the Committee on Ways and Means.

By Mr. PETERS: Petition of Appalachian Mountain Club, against further impairment of the scenic beauty of Niagara Falls (H. R. 16086 and 16784)—to the Committee on Rivers and Harbors.

By Mr. PORTER: Petition of Caledonia Grange, of Livingston County, N. Y., in favor of H. R. 15837, for a national highways commission and appropriation giving Federal aid to construction and maintenance of public highways—to the Committee on Agriculture.

By Mr. ROBINSON: Papers to accompany bills for relief of heirs of William W. Davis and heirs of John G. Freeman—to the Committee on War Claims.

By Mr. STEENERSON: Paper to accompany bill for relief of James Meehan (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. WEEKS: Petition of Appalachian Mountain Club, for legislation to protect Niagara Falls from further scenic injury—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS: Paper to accompany bill for relief of Rosa Quine Raley, heir of Julia Quine—to the Committee on War Claims.

Also, paper to accompany bill for relief of Francis A. Owen—to the Committee on War Claims.

By Mr. WOOD: Petition of directors of Lambertville National Bank, against both the Aldrich bill (S. 3023) and the Fowler currency bill (H. R. 12677), and in favor of the McKinney bill (H. R. 15262)—to the Committee on Banking and Currency.

## SENATE.

THURSDAY, April 9, 1908.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

### EXPENDITURES OF THE DEPARTMENT OF AGRICULTURE.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, classified and detailed estimates of every subject of expenditure intended for the Agricultural Department for the next fiscal year, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also laid before the Senate a communication from the Secretary of Agriculture, transmitting, pursuant to law, a detailed statement of the expenditures of the Department of Agriculture for the fiscal year ended June 30, 1907, which was read.

Mr. HEYBURN. One set of the papers accompanying this communication is identical with those which were presented by me to the Senate on last Tuesday, and which at that time were ordered printed as a document. This being the case, there will be no necessity for a reprint.

The VICE-PRESIDENT. The communication will be printed and, with the accompanying papers, referred to the Committee on Agriculture and Forestry.

### COMPANIES B, C, AND D, TWENTY-FIFTH INFANTRY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 6th instant, a list of names of enlisted men of the Twenty-fifth Infantry discharged without honor on account of the Brownsville, Tex., shooting affray, who have applied for

reenlistment under the order of the Secretary of War, etc., which, on motion of Mr. FORAKER, was, with the accompanying papers, referred to the Committee on Military Affairs and ordered to be printed.

### FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Church of Christ, of Acworth, Ga., a corporation, successor to the congregation of the Christian Church of Acworth, Ga., claimant, v. United States, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 20063) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1909, and for other purposes, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

S. 4260. An act to amend an act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906; and

H. R. 18754. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors.

### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented the petition of John J. Hannahan, grand master of the Brotherhood of Locomotive Firemen and Enginemen, in behalf of a meeting of general chairmen held at Chicago April 6, representing thirty-four railroads from the west, northwest, and southwest of Chicago, praying for the enactment of legislation to promote the safety of railroad employees by having adopted a self-dumping ash pan on locomotives, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Commercial and Industrial Association of Selma, Ala., praying that an appropriation of not less than \$500,000,000 be made during the next ten years for the improvement of the waterways of the country, which was referred to the Committee on Commerce.

He also presented a petition of the Wisconsin Federation of Women's Clubs, praying for the enactment of legislation providing for an investigation and the development of the methods of the treatment of tuberculosis, which was referred to the Committee on Public Health and National Quarantine.

Mr. KEAN. I present a memorial from the commander and past department commanders of the Grand Army of the Republic, Department of New Jersey. It is very short, and I ask that it be read and referred to the Committee on Pensions.

There being no objection, the memorial was read and referred to the Committee on Pensions, as follows:

### HEADQUARTERS OF THE DEPARTMENT OF NEW JERSEY, GRAND ARMY OF THE REPUBLIC.

To the Honorable Senate and House of Representatives  
in Congress assembled:

We, the commander and the past department commanders of the Department of New Jersey, Grand Army of the Republic, most respectfully protest against the passage of a bill now pending in Congress, introduced by the Hon. J. WARREN KEIFER, the object of which is to abolish all the pension agencies throughout the land and consolidate them all in one agency at Washington, D. C.

We feel that the rights, as well as the convenience, of the pensioners, who are the wards of this nation, should be considered. The only reason advanced for the passage of this bill is a matter of economy, and it is a question for debate as to whether or no it is for the purpose of economy or whether it is for the purpose of retaining in the present office in the Pension Bureau at Washington, on a false plea of economy, the high-salaried clerkships, instead of the many low-salaried clerkships in the pension agencies, who do the work.

Yours, most respectfully,

N. M. Nevius, post commander, Department of New Jersey, Grand Army of the Republic; Arthur W. Tench, department commander, Grand Army of the Republic, New Jersey; Ernest C. Stahl, past department commander of New Jersey; E. C. Richards, past department commander of New Jersey; James M. Atwood, past department commander, New Jersey; Samuel Hufty, past department commander, New Jersey; H. L. Hartshorn, past department commander, New Jersey; George Barrett, past department commander, New Jersey; Charles Benson, past department commander and quartermaster-general, Grand Army of the Republic; Samuel G. Hoyer, past department commander; William C. Smith, past department commander; John Lawrence, past department commander.